

SENATE—Wednesday, February 3, 1982

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

God of our fathers and of all peoples everywhere, we need Thee, our cities need Thee, the Nation needs Thee, the world needs Thee. We pray for Thy special blessing upon the "National Prayer Breakfast" and seminars tomorrow. As the President joins with representatives from Federal, State, and local government, with leaders from more than 200 nations and every State in the Union, may the Holy Spirit bring to that microcosm of the world a visitation of divine power, love, and grace. Grant protection and blessings to the President and First Lady, to Vice President and Mrs. Bush, and those who participate in the program. May Thy holy presence be experienced by all in attendance. May all be made aware of the Nations' accountability to Thee for justice, freedom, and peace.

Be with the Senators and all who support them in their public service today. May Thy wisdom enlighten them, Thy power energize them, Thy truth and light guide them, Thy grace encourage them. Let Thy will be done in this place as it is in heaven and grant that all of us may love mercy, do justly, and walk humbly with our God. We ask this in the name of Him whose life incarnated that walk. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE TODAY

Mr. BAKER. Mr. President, on last evening, I indicated that today, after the recognition of the two leaders under the standing order and the execution of special orders providing for the recognition of Senators, there be a

period for the transaction of routine morning business, then a resumption of the debate on the motion to proceed to the consideration of Senate Resolution 20. I also indicated at that time that I hoped we could find some other business to do today, which would have to be done, of course, by unanimous consent.

I say to my friend, the minority leader, that I have not yet found "some other item of business" that we can transact. I hope if he has some item in mind, we might discuss that in the course of an informal conversation or on the floor and see if we can find something else to do. Otherwise, Mr. President, I expect that this day will be a short day, since we now have a time certain to vote on the motion to proceed tomorrow at noon.

In addition to that, I indicated last evening that I hoped Senators might be willing to undertake a shortening of the time for debate on the Helms-Johnston amendment which will occur as the pending business tomorrow at 11 o'clock. I once again suggest, then, and hope that those who may hear me in their offices will address the question, particularly, on whether or not we can reduce the time for debate so that the vote on the Helms-Johnston amendment will occur immediately after the vote on the motion to proceed, which will be at 12 o'clock. I hope Senators will contact me in that respect and I invite any comments the minority leader may wish to make in that regard.

Mr. ROBERT C. BYRD. Mr. President, I wonder if the majority leader, Senator LONG, and others would be willing to reschedule the 12 o'clock vote and have it occur, say, at 12:30 p.m.

Mr. BAKER. Yes, I am perfectly agreeable to that.

Mr. LONG. I have no objection, Mr. President.

Mr. BAKER. Mr. President, I have not checked with our people. I wonder if I could have a brief moment while our cloakroom makes a quick check to find out. I am fairly sure that will be satisfactory. I shall withhold making that request for just the moment, but I personally have no objection.

Mr. LONG. May I ask for personal clarification, which vote is it that the Senator wants to set at 12:30? It is all right for me to wait.

Mr. ROBERT C. BYRD. The vote on the motion to proceed, Mr. President.

Mr. BAKER. The minority leader would still have in mind perhaps scheduling the vote on the Helms-

Johnston amendment right after the vote on the motion to proceed.

Mr. ROBERT C. BYRD. Yes, I think that would be a good time, Mr. President.

TELEVISION AND RADIO COVERAGE OF SENATE PROCEEDINGS

Mr. BAKER. Mr. President, I hope that after we get on the resolution, if we do get on the resolution, we could schedule a reasonable time for debate and perhaps agree on a time certain to vote on that measure. I do not want to press that point at this time, but if we could do it, I suggest that sometime Monday or Tuesday would be a good time to consider it. I acknowledge that that is probably premature at that time, but I could not resist trying.

Mr. LONG. If the Senator will yield at that point, Mr. President, let me say to the Senator that the Senator from Louisiana will not be able to agree at this point, but he is very pleased at the headway his side made yesterday, having educated Senators who knew nothing whatever about the matter. He finds he has considerable support in one respect or another for the position he takes. I honestly feel the matter should be discussed and that this is an appropriate situation for debate. I am not suggesting that Senators should speak at great length, but I do feel this is an appropriate situation for a proper Senate debate. I could not agree at this moment to that suggestion.

Mr. BAKER. I understood he might not, Mr. President. That is why I took some pains to couch my language in cautious terms. I think yesterday was a good day and I think we have vastly expanded the general knowledge of the Senate and maybe even of others on this subject. I feel good about it. I think our prospects for accomplishing this objective are far better today than they were yesterday. That disagreement between the distinguished Senator from Louisiana and myself is what makes the Senate a great body.

What I would really like to do, at some point after there has been a full airing of the contentions of the parties in this matter and consideration of any measures that may be presented, I would like to resolve it. So, from time to time, I am sure the Senator from Louisiana will not be offended if I once again plant the suggestion that maybe we ought to find a time to vote on this bill.

Mr. LONG. Mr. President, I hope the Senator will at least be fair to those of us who do not agree with his

proposal. I think it was inappropriate for the Senator on yesterday, before the Senator from Louisiana had ever had a chance to say the first sentence on behalf of his position, to say that he saw the Senator with some cough drops and he was convinced the Senator was going to filibuster, or some such thing as that—to infer as much, anyway. The Senator from Louisiana, Mr. President, had a sore throat. He had been plagued with it for some days. It is not my fault I have a sore throat. That is something only the good Lord can control.

Mr. BAKER. But the Senator from Louisiana gave me the sore throat and I cannot forgive him for that. I forgive him for every other transgression, but I have the sore throat today and I hope the Senator from Louisiana will share his cough drops.

Mr. LONG. Mr. President, I hope the Senator from Tennessee will indulge me with the same charity we grant each other in this Chamber day after day and grant a Senator the right to state what he believes to be right as the Good Lord gives him the light to see it, especially when he prays over it. One should always indulge himself in the assumption that the other fellow might be right.

The Senator has been most kind to hear my presentation even if he did not agree with it. I appreciate the extent to which the Senator has been a good listener.

I say to the Senator that he has a good argument, and though I do not agree with it, I think he made a good speech yesterday. I did not accuse the Senator of filibustering. He did it before the Senator from Louisiana even had a chance to make his opening statement. I think he made a good speech.

I appreciate the Senator's position. I am not beyond reason and I hope the Senator from Tennessee will at least show us the same intellectual consideration that he traditionally does all Members of this body.

Mr. BAKER. Mr. President, I am sure the Senator from Louisiana, more than almost any other Member of the Senate, understands that a part of the cushion, of the padding that prevents the friction that inevitably occurs in this body from being destructive, is a sense of humor.

I believe that the Senator from Louisiana has a sense of humor that is unequaled by any other Member. I cannot recall a greater pleasure in that respect than hearing the endless stories the Senator from Louisiana tells so very well about his life and experience, and of that of his family, in politics.

So he knows, I am sure, speaking of my apprehension that he might proceed at length to debate the motion to proceed, and my observing the presence of a great stock of cough drops,

that was said in jest and in good humor. But I must say, in all fairness, as well, that while it is true the Senator had not yet begun to debate the motion to proceed, like almost every other Member in this Chamber, his reputation preceded him.

Mr. President, I am prepared to yield my time remaining under the standing order to any Senator seeking recognition. I see no Senator on my side seeking time.

I am prepared, then, to yield the time to the control of the distinguished minority leader, if he wishes it.

RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER (Mr. WARNER). The minority leader is recognized.

Mr. ROBERT C. BYRD. I thank the majority leader.

THE RETIREMENT OF JANE PRICE SHARP

Mr. ROBERT C. BYRD. Mr. President, January 1, 1982, marked the formal retirement of one of West Virginia's best-known journalists, Jane Price Sharp. The editor of the *Pocahontas Times* since 1957, Mrs. Sharp has worked at the weekly newspaper, off and on, for more than 44 years. Born and reared in Marlinton, W. Va., the home of the *Pocahontas Times*, Jane Price Sharp comes from a long line of journalists. Her grandfather, the Reverend William T. Price, purchased the *Pocahontas Times* in 1892 and ran it until 1905. Mrs. Sharp's father, Calvin W. Price, then took over as editor and served in that capacity until his death in 1957. Since that time, the publication of the *Pocahontas Times* has been accomplished under the watchful eye of Jane Price Sharp.

Running a weekly newspaper has consumed only a portion of Mrs. Sharp's energies, however. She has also found time to serve on the board of directors of the Marlinton Chamber of Commerce, is the director of the *Pocahontas County Historical Society*, secretary of the *Pocahontas Democratic Woman's Club*, and a member of the *Women of the Press and Sigma Delta Chi*. Mrs. Sharp is also past president of the *West Virginia State Press Association* and the *Marlinton Woman's Club*.

I am glad that the family tradition at the *Pocahontas Times* will be carried on by Mrs. Sharp's nephew, Bill McNeel, who has taken over as editor, and her daughter, Jane S. Jessee, the new managing editor.

But Jane Price Sharp is not ready to go into full retirement just yet. Typical of her enthusiasm and drive, I am told she will be helping at the *Poca-*

hontas Times from time to time. Jane Price Sharp has made great contributions to her profession and her community, and for her many accomplishments I offer my praise and gratitude.

MINE SAFETY

Mr. ROBERT C. BYRD. Mr. President, the *Washington Post* of February 3 contains an article entitled, "Accidents Up, Citations Down in Coal Fields," which will be of interest to my colleagues.

The article deals with two troubling areas—the adequacy of mine inspections in 1981, and the confusion caused by the provision of the continuing resolution that bars the Mine Safety and Health Administration from inspecting stone, sand, and gravel operations.

At a time when fatalities are rising in the coal mining industry, the frequency of inspections appears to be decreasing. Congress should not allow mine safety to be a casualty of the budget process.

The transfer of authority to inspect stone, sand, and gravel operations from MSHA has resulted in a confusing and frustrating situation within MSHA. The ultimate effects of the transfer on safety on both coal and noncoal mines are unknown, but should be examined closely by the Congress.

I ask unanimous consent that the article be printed in the *RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

[From the *Washington Post*, Feb. 3, 1982]

ACCIDENTS UP, CITATIONS DOWN IN COAL FIELDS

(By Douglas B. Feaver)

Federal mine inspectors are issuing fewer violation notices, closing fewer mines for safety reasons and collecting less in fines at a time when fatalities from mine accidents appear to be on the rise.

Twenty miners have been killed in the coal fields since Jan. 1, compared with nine a year ago. A total of 153 miners were killed in 1981, the highest annual rate since 1975.

The Labor Department's Mine Safety and Health Administration (MSHA), which is required to inspect all underground coal mines four times a year, is being squeezed by budget problems just like other agencies.

Unlike everyone else, however, MSHA is also caught in a strange never-never land. A small part of its mission—inspection of sand and gravel and quarrying operations—was moved by Congress in the continuing resolution from MSHA to Labor's Occupational Safety and Health Administration (OSHA). No one knows whether or when that mission will be returned, but OSHA has it until March 31, when the continuing resolution expires.

The result: 220 MSHA sand and gravel quarrying inspectors have been furloughed since Jan. 1. Since many of them are also qualified coal inspectors, they are now beginning to "bump" less senior coal inspectors under federal personnel rules.

"I certainly emphasize with the employees who were impacted," said MSHA Administrator Ford B. Ford, an appointee of President Reagan. "That was not an administration-sponsored move."

Further, attrition and the federal hiring freeze combined to cut by 9 percent the number of coal inspectors actually on the job from 1,389 to 1,264 between the end of fiscal 1979 and fiscal 1981.

"We are losing our best inspectors to industry," according to a source in an MSHA field office. "Previously we could keep them because of the continuity of the work and the dignity of the job, but no longer."

"If you asked, 'Does that account for these disasters?' I would say I hope not, but it troubles me."

Ford said he could not be "definitive" on whether such uncertainties might have contributed to laxness in the field. "A great number of our inspectors come from coal mining and coal mining families. I would say they are doing a good job. I can't say how individuals react."

The statistical evidence is interesting, if not conclusive. It shows that MSHA coal inspectors issued 129,921 citations for violations in fiscal 1980, but only 108,914 in fiscal 1981, a drop of 16 percent.

Orders—where an inspector literally closes a mine or a section of a mine or prohibits use of a piece of equipment until a hazard is corrected—dropped from 5,270 to 4,787, or 9 Percent, from one fiscal year to the next.

Assessments—civil penalties paid by mine operators—dropped from \$19.5 million in calendar 1980 to \$14.2 million in calendar 1981, or 27 percent.

The General Accounting Office, at the request of Rep. Nick J. Rahall II (D-W.Va.), is three weeks into an investigation of whether MSHA is, in fact, performing the inspections the law requires.

Miners in Rahall's district told him that the Logan, W. Va., MSHA office was not conducting the required number of inspections, according to Rahall spokesman Michael Serpe. Rahall confirmed that charge from MSHA's own statistics, Serpe said, and asked for the GAO probe. "The fact that mine inspections are not being carried out is a travesty of the law that we in Congress worked hard to implement," Rahall said.

MSHA's Ford said that "from the information we've been able to glean, those inspections required by the [Coal Mine and Safety] Act are being carried out to the extent those mines are available for inspection." Mines regularly move in and out of production, he said, and if they are out of production there is nothing to inspect.

Ford said that MSHA's inspectors inspect "100 percent of those mines available," but only 92 percent of all 5,700 coal mines because of availability problems. Labor Department statisticians said that the number of inspections that may have been missed (depending on whether the mine was really open or not) jumped from 485 in fiscal 1980 to 887 in fiscal 1981.

The switch from MSHA to OSHA of sand, gravel and stone inspections has the immediate result of removing thousands of small operators from the burden of federal inspection because OSHA is not permitted to inspect firms with fewer than 10 employees unless there is a complaint or a reported accident.

While the resolution transfers about 162,000 protected workers at 12,395 operations from MSHA to OSHA, the inspectors remain on furlough. About 86 percent of the sand and gravel and two-thirds of the

quarry operators will be exempt from OSHA enforcement barring a reported accident or complaint, OSHA spokesman Jim Foster said.

The National Sand and Gravel Association was able to build enough support in Congress to win at least temporary freedom from MSHA in the continuing resolution. However, MSHA statistics show, sand, gravel and quarrying operations have accounted for about 50 percent of the fatalities in the non-coal mining industry. Deaths in the non-coal mining industry dropped steadily from 234 in 1972 to an all-time low of 83 last year.

Ford has reorganized MSHA to place education and training staffs under the direct supervision of district managers instead of under Washington. That has resulted in the closing of some MSHA offices in the field, Ford said, but does not mean that MSHA's presence is diminished in any way.

"There has been no message to us to lessen regulatory enforcement," Ford said.

Mr. ROBERT C. BYRD. Does any Senator wish a portion of my remaining time?

Mr. LONG. Mr. President, I have a statement that might take a little more than 10 minutes, but I should not think it is asking too much to ask the Senate to indulge me in presenting the statement I am prepared to make.

Mr. BAKER. Mr. President, will the Senator give me the pleasure and honor of yielding the time I have remaining to the Senator from Louisiana?

Mr. ROBERT C. BYRD. Yes; if the Senator has any time remaining.

Mr. LONG. I thank the Senator.

The PRESIDING OFFICER. The time of the majority leader has expired.

Mr. BAKER. Then, I regret that I am not able to do that. I shall make any provision the Senator from Louisiana requires in that respect.

Mr. ROBERT C. BYRD. Mr. President, I yield my remaining time to the Senator from Louisiana.

EL SALVADOR—WHO OWNS THE FUTURE?

Mr. LONG. Mr. President, the process of land reform in El Salvador holds great promise for the working people of that country. If properly carried out, it can provide a strong foundation for putting that struggling nation back on a path to peaceful and prosperous economic growth.

It is my hope that this land reform effort will be successful, and that a more equitable and more workable distribution of land will result. At the same time, I hope that we in the United States can learn a lesson from the situation in El Salvador—a situation that is likely to be repeated again and again as struggling people elsewhere attempt to establish democratic governments and escape from poverty.

The lesson that I hope we will learn is the crucial role that ownership plays in the development process. Too often we overlook the long-term conse-

quences of our aid, and of the future impact that aid can have on American foreign policy.

I hope that we will learn to begin asking ourselves, "Who owns the future?" In most developing countries, the vast bulk of the arable land is owned not by a broad cross section of its people but by a relatively small group. That same landed elite generally owns most of the productive capital as well.

Unfortunately, newly created development capital is too often financed in such a way that it becomes owned either by this relatively small class or by the government itself. Neither approach is well-designed to promote the long-term good health of an emerging democratic government.

Capital ownership in the United States is concentrated in a disturbingly similar fashion. According to the Joint Economic Committee, for example, 50 percent of our individually held corporate stock is owned by just 0.5 percent of the U.S. population. Two-thirds, according to a 1976 Internal Revenue Service report, is held by 5.2 percent of the population age 20 and over.

At the other end of the ownership spectrum, we find a sobering statistic provided by the National Bureau of Economic Research. According to their research, for the majority of American families, their most important wealth is now their entitlements under our social security system.

Thus, for most Americans their most important asset is an assurance that their children will be taxed on their behalf. That is a long way down the wrong road for a nation that prides itself on a heritage of private property, and for a nation that hopes to see others adopt private property free enterprise as their dominant political model.

Unfortunately, we did not have that thought firmly in mind when the Congress agreed to legislation targeting approximately \$450 billion through 1990 for increased business writeoffs of plant and equipment—all of which will be owned by someone.

In large part, corporate finance will determine who will be the owners of these badly needed new capital investments. Corporations finance their growth from three primary sources: Retained earnings, debt, and various tax benefits—primarily equipment writeoffs, such as those which form the bulk of the business tax relief in the Economic Recovery Tax Act of 1981.

Because of the way in which new investments are financed, capital ownership in the United States has historically been an opportunity reserved for a relative few. The ownership of new capital wealth is, and continues to be,

largely a function of existing capital wealth.

Free enterprise, private property economies are losing ground all over the world. Rather than blindly continuing to make the already rich richer still, would not we be better off demonstrating to people all over the world how the bountiful, increasing prosperity that we have in America spreads out and reaches people in all walks of life?

Should we not provide a more hopeful model, a model that steadily strengthens the foundations of free enterprise by steadily increasing the number of people who directly share a stake in its productive strength? If we had such a model, other nations would be far more likely to follow our lead and would be far more likely to survive as democracies.

What could be a better answer to the unfulfilled promises of communism? What if the members of Solidarity, for example, were to own those plants where they now work? Would that not largely undermine the very rationale for Soviet-style state ownership?

In an apparent reference to the Polish crisis, Pope Paul II explained in his September 15, 1981, encyclical "Laborem Exercens" (On Human Work) that—

*** Merely converting the means of production into state property in the collectivist system is by no means equivalent to "socializing" that property. We can speak of socializing only when . . . on the basis of his work each person is fully entitled to consider himself a part-owner of the great workbench at which he is working with everyone else. A way toward that goal could be found by associating labor with the ownership of capital. ***

The distribution of job opportunities as an outgrowth of Government-stimulated economic growth is a factor that we evaluate in great detail. But is that enough? In this technology-rich, capital-intensive age in which we live, should not the American worker have more of a stake in the economy than just a job?

We in the United States have been asking the wrong question. Or, at best, an incomplete question. Is it not time to begin to ask just who will own this massive amount of new capital that our new tax laws will help to bring about. Is it not time to look to the future wealth of this Nation and to insure that some significant portion of that wealth is owned by those whose toil will help to create it?

The bulk of working Americans—or working people anywhere for that matter—cannot save their way to significant capital ownership. For the most part, people cannot afford capital ownership. Daily economic survival, not savings and investment, is their main concern.

Most working people owe instead of own. And the less our technologically

advanced economy needs their labor, the less able they are to save their way to capital ownership. Inflation, of course, further penalizes what little savings they are able to set aside.

What is needed is a transformation of our current techniques of finance. The financial press estimates that by the year 2000 productive wealth in the United States will increase by \$2 to \$5 trillion. The bulk of that new wealth will be owned by private individuals. Techniques of corporate finance will determine who those owners will be.

We need to reevaluate our techniques of finance, and begin to ask whether we can afford to encourage techniques which continue to perpetuate our concentrated pattern of property ownership. If we are to expect our free enterprise system to be embraced by others, we should set a better example of how our system can work to advance the interests of more American citizens. As Secretary of State Haig has pointed out, our economic contradictions here at home make it more difficult for us to lead abroad.

We live in an ideological age, an age in which it is all the more important to have a clear vision of the type of society that we would suggest to others. If we are going to preach private ownership abroad, we should practice it here at home in a realistic fashion.

In a July 1974 speech to the Young Americans for Freedom, the President, then Governor Reagan, explained the historical precedent for a national policy of expanded ownership and endorsed the uniquely American opportunity that such a policy would represent:

Over one hundred years ago, Abraham Lincoln signed the Homestead Act. There was a wide distribution of land and they didn't confiscate anyone's already owned land. They did not take from those who owned and give to others who did not own. It set the pattern for the American capitalist system. We need an Industrial Homestead Act . . . I know that plans have been suggested in the past and they all had one flaw.

They were based on making present owners give up some of their ownership to the nonowners. Now this isn't true of the ideas that are being talked about today.

Very simply, these business leaders have come to the realization that it is time to formulate a plan to accelerate economic growth and production and at the same time broaden the ownership of productive capital. The American dream has always been to have a piece of the action.

In a similar vein, Senator Hubert Humphrey explained his support of expanded ownership in a letter to the editor of the Washington Post not long before his death:

Throughout my career as a public servant, I have viewed full employment as a top priority goal for this country. And I continue to do so. But I recognize that capital, and the question of who owns it and therefore reaps the benefit of its productiveness, is an extremely important issue that is complementary to the issue of full employment.

I see these as twin pillars of our economy: Full employment of our labor resources and widespread ownership of our capital resources. Such twin pillars would go a long way in providing a firm underlying support for future economic growth that would be equitably shared.

Expanded ownership is an issue that cuts across party lines in an attempt to bring out the best in our American free enterprise system.

I am pleased to see that there is support for this concept on both sides of the aisle. I am pleased that the Republican Party in its 1980 convention spoke of this issue in its platform:

The widespread distribution of private property ownership is the cornerstone of American liberty. Without it, neither our free enterprise system nor our republican form of government could long endure.

It is my hope that we will begin to strike a better balance between the energy and efficiency of the market and the equity, compassion and equality of democracy. Financial techniques supportive of expanded ownership would bring a democratic new dimension to the investment process, and would open new possibilities for economic participation.

We need a more democratic form of private property capitalism—a type of capitalism that is true to its democratic roots, and true to the American tradition of widespread participation.

If we are to urge others on to a new direction for economic policy, we would do well to strike out in that direction ourselves. As President Reagan once explained:

Capitalism hasn't used the best tool of all in its struggle against socialism—and that's capitalism itself.

If we are to suggest to others a blueprint for social progress, we should ourselves favor a financial design guaranteed to include more Americans as partners in our economic progress. If we are to expect our private property philosophy to survive elsewhere, we need to show that it can thrive here in the United States.

In addition to providing ideological direction to American foreign policy, a policy of expanded private ownership would also provide a private enterprise alternative to traditional reform movements. In addition to including ever larger numbers of people as beneficiaries of the development process, this policy would also provide a mechanism through which U.S. aid could encourage development in a more democratic fashion.

President Reagan is correct in his belief that we must "transcend communism." We can do that only with an ideological self assurance that is well grounded in values that we know are sound.

Building a more peaceful world—

As President Reagan noted in his state of the Union address,

requires a sound strategy and the national resolve to back it up.

Expanded ownership is such a strategy. It could make the crucial difference between peaceful change or disorder and violence.

Mr. BENTSEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. BENTSEN. Mr. President, I share the views of the distinguished Senator from Louisiana and congratulate him on what I think is a statement that should have been said time and time again in this country, and it is part of the basic economic structure of the country. He stated it in an eloquent and articulate manner.

RECOGNITION OF SENATOR BENTSEN

The PRESIDING OFFICER. Under the previous order, the Senator from Texas is recognized.

WORLD AGRICULTURAL TRADE

THE COMMON AGRICULTURAL POLICY OF THE EUROPEAN COMMUNITY

Mr. BENTSEN. Mr. President, I am concerned about what is happening to the family farm in this country.

I do not believe that it has been fully realized how important international trade and exports happen to be to the family farmer. He is a big part of that.

But all we have to do is read the right-hand column in the Wall Street Journal of Monday to understand this importance. This article, which I put in the RECORD yesterday, tells what has happened to our exports in grain, the fall off there, and the reaction in falling prices and in turn the foreclosures for American farmers.

But part of it is being brought about by a dramatic change that is taking place in the European Community. What they have done with their common agricultural policy has resulted in an amazing increase in their exports and a substantial denial of markets within the European Community for American agricultural exports.

When we are talking about free trade we ought to be sure of what we're getting. The old axiom is that it ought to be fair trade. But we are not seeing that. We have the largest marketing system in the world here, and it is basically an open one, open to other countries around the world, but we are seeing more and more barriers put up to our own products.

Our own U.S. negotiators must be tough and savvy to deal with this. I can recall in Geneva when we were talking about GATT and trying to do something about cracking the market in EC countries for U.S. agricultural products. I kept saying, "Let's get something done for grapefruit, for oranges in our country." I was particu-

larly interested because we produce a lot of grapefruit and oranges down in south Texas.

Finally they said, "Look, we have made a real breakthrough for you. We have cut the duty from approximately 30 percent to 15 percent." But they did it only for a certain part of the year.

Well, as I got to studying that I found that is the part of the year we are not picking any fruit. It was not applicable at all. In no way was it a help.

What really shook me was when the people who were doing the bargaining for our side did not seem to understand that. They themselves said, "Look, Senator, we won you a major concession." No way. That is when we have no fruit to sell, and when we have fruit to sell the European Community has raised the duty again.

Let me touch on some of the points of what has happened in the European Community. Through this CAP, common agricultural policy, they have become self-sufficient in most agricultural products, and now they are in the position of developing into a major exporter of agricultural products. In addition, the CAP has reduced world agricultural trade to the detriment of all trading nations, and it has blocked the export of many U.S. agricultural commodities to the European Community.

Last year, the European Community became a net grain exporter for the first time. The emergence of the European Community as a grain exporter is less significant than the fact that these exports succeed only by reason of subsidies. The 10 governments of the European Community and the European Community itself now encourage agricultural production at over 10 times the annual cost of all U.S. Federal agricultural price support programs in this country.

Few European agricultural products would have any export market at all without subsidies. While the subsidies are changed frequently to meet market conditions, and are different for different products, and conversions to U.S. dollars are always fluctuating, we can still observe that European Community price guarantees are almost always higher than the comparable market price.

For example, using recent conversion rates—which are the most favorable to the European Community in years because of the recent strength of the dollar—the soft wheat European Community price guarantee for the 1981-82 year was \$4.59 per bushel, whereas the comparable recent market price was \$3.69 per bushel. This difference in 1980 was almost \$2 per bushel. The European Community price guarantee on beef and veal was \$1.01 per pound, whereas comparable world prices—an average of slaughter prices converted to live weight basis

for consistency with the European Community price guarantees—were about \$0.55 per pound.

Pork price guarantees were almost 2.5 times world prices; corn prices were 1.4 times world prices. All of these European Community price guarantees have increased in the 1981-82 season by amounts that range from 6 to 11 percent over the 1980-81 season.

How does this work? If they are guaranteeing those kinds of prices to their farmers to increase their production substantially, then what happens when they sell it on the world market? What they do is say to the exporter, "Now, you go ahead and sell your commodity on the world market at whatever price the market will bear, and we will make up the difference between that price and whatever we have guaranteed the farmer within the EC." Each week, EC exporters submit their tender offers and requested subsidy amounts, and the Community decides what to pay to get rid of commodities. If EC wheat exporters need a subsidy of \$1.50 to beat the competition—say, the United States—they can just ask for it from the Community. You can see what happens to our market price.

The EC attack on agricultural export markets is concentrated in a few products—sugar, grains, milk products, beef and veal, and processed foods. The first four items account for 51 percent of all EC production and nearly 75 percent of the 1980 CAP budget.

As a result of heavily subsidized EC exports, there has been a dramatic shift in world export commodity market shares. These changes have been detrimental to other agricultural exporting countries, particularly the United States. One of the most disturbing aspects of these developments is that the EC export drive is targeted on areas where the United States has traditionally been a major exporter. Some of our major world markets are now jeopardized by EC subsidies.

According to EC figures, their exports of CAP products to developing countries increased 271 percent from 1973 to 1980. Between 1970 and 1980, the EC percentage of the world export market in wheat increased with the benefit of subsidies from 6.2 percent of world exports to 15.6 percent. It is true that U.S. exports of wheat also increased in that period, but I submit that they would have increased much more without the unfair competition of subsidized European wheat.

In many areas, the European subsidies have resulted in an absolute reduction of U.S. market shares. For example, since the institution of the CAP in 1962, market shares in commercial wheat flour have changed dramatically. In the period 1959 to 1962, before the policy was instituted, the EC share of world commercial wheat

flour market averaged 28 percent. U.S. market share was also roughly 28 percent. In the period 1977 to 1980, with the benefit of almost 20 years of subsidization, the EC share of the world commercial wheat flour market was 71 percent, whereas the U.S. share had dropped to 11 percent.

The U.S. share had dropped to 11 percent. Remember that they were even. But then it changed, because of the EC subsidy. The EC's share moved up to 71 percent and ours dropped to only 11 percent.

Similarly, in the area of poultry meat, the increase in the EC's export market share came at the expense of U.S. exporters who had 37.5 percent of world exports in 1974, but only 25.1 percent in 1979. In that same period the EC percentage of world exports climbed from 0.4 percent to 28.7 percent. In the Middle East alone, the U.S. market share for whole chickens dropped from 97 percent in 1966—the year before EC subsidies for whole chickens were introduced—to 18 percent in 1980, while the EC share increased from 3 percent to 82 percent over the same period.

EC exports of dairy products have increased from 472,000 metric tons in 1976 to 1,419,000 metric tons in 1980. EC sugar exports have soared from 2,114,000 metric tons in 1976-77 to 4,500,000 metric tons in 1980-81. The EEC shipped 601,000 metric tons of meat abroad in 1976; in 1979 such shipments amounted to 816,000 metric tons.

I know there are a lot of people who must say, "Well, what does that have to do with me? So what if we have not sold as many chickens abroad as we have sold in the past? So what if they are taking over our market share on flour?"

It has a lot to do with you because one of the greatest mainstays of our exports and of the soundness of our dollar is our export of agricultural products. If they did not have that as one of the bulwarks for the defense of the dollar we would be in a lot more trouble than we are today.

Information that is only now becoming available suggests that the EC subsidies have materially undercut the prices U.S. exporters can charge for their products. In places as remote as Yemen and Sri Lanka, the Europeans—leaning on their subsidies—have underbid U.S. prices for wheat flour by more than \$100 per metric ton in some cases.

Now that is a dramatic example of why the fellow in Yemen says, "All right, why should I buy the U.S. product?" And he buys it from the European Common Market.

The EC has refused to join the international sugar organization—which protects consumers from wide fluctuations in the price of sugar—and prefers instead to flood world markets

with heavily subsidized white sugar. Partly as a result of this EC policy there is a shortage of sugar to supply all the needs of the world's consumers, and yet the price remains artificially low, thereby inhibiting additional producers.

Tomorrow, I will discuss some of the international agricultural agreements to which the United States is a party and review their relevance to this problem.

Mr. President, I ask unanimous consent to have printed in the RECORD a very relevant and timely article out of the Economist, talking about the CAP in Europe and what is being done on farm prices and what it means insofar as other exporting measures are concerned.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Economist, Jan. 23, 1982]

FARM PRICES—STILL FAR TOO HIGH

Close though a settlement of Britain's budget grievance may be, reform of Europe's farm policy seems as distant as ever. This week, the EEC commission decided to keep its farm-price proposals for the coming year under wraps until after next week's foreign minister's meeting. A peep under the wrapper shows that the commission has forgotten all its promises of farm reform.

When its proposals for rejigging the EEC's policies were published last June, the commission made three vows: to propose "prudent" prices, to bring cereal prices closer to world prices, and to restrain surplus production. Yet in the package now on the desk of the farm commissioner, Mr. Poul Dalsager, which has already been accepted by his colleagues, there is scarcely a glimpse of these good intentions. Mr. Dalsager's men are proposing:

An average increase in common farm prices of 9 percent. This is the highest proposed increase since 1977. Although the EEC's average inflation rate is 12.8 percent, farmers' real incomes kept pace last year, thanks to high price rises. After the boom years of the mid-1970s, farmers' real profits fell by 3 percent in 1979 and then 7 percent in 1980, but then stabilised in 1981, to the envy of other small businesses.

Smaller price rises for cereals of 6-7 percent. This will do nothing to bring EEC prices closer to world levels. After reaching a peak of \$3.50 a bushel in early 1981, American wheat prices have fallen by 30 percent under pressure from a record world cereal harvest in 1981, and are expected to stay low in 1982. EEC cereal prices rose by 7.7 percent in 1981.

A production target for cereals of 119.5m tonnes (excluding hard wheat) in 1982; if this target is exceeded, the guaranteed price will fall. In principle, this should be an effective restraint on overproduction. But the target has been set at the level of the record EEC harvest of 1980.

Price rises for dairy products, the sector with the largest surplus, of 9 percent. Last year the cost of supporting EEC dairy farmers fell dramatically thanks to high world prices (and correspondingly low export subsidies) and to a slowdown in the growth of EEC milk output to just 0.5 percent. Both these gains are fragile. World prices are high because the two biggest exporters, the EEC and New Zealand, have fixed the

market; but prices will stay high only if America keeps out of the world market and if the EEC restrains its output. Despite last year's sale of 100,000 tonnes of stockpiled butter to the New Zealanders, American surpluses are growing again; by the end of 1982, there will be 243,000 tonnes of butter, 460,000 tonnes of cheese and 765,000 tonnes of milk powder in American stores.

Milk pundits reckon that the small growth in EEC production last year was exceptional; poor weather was to blame, they say, and this year output will rise by 1.5-2.0 percent, while consumption will rise by less than 0.5 percent, so that the EEC will still be churning out 20 percent more milk, cheese and butter than European consumers want to buy.

Mr. Dalsager's proposals, if accepted by the Ten's farm ministers, would cost the EEC budget an extra 1.2 billion ecus (£872m) in a full year. He has been deliberately generous in the hope that his proposals for high price rises will help ministers to reach an early agreement and subsequently allow him to introduce small reforms by stealth. Experience shows that the ministers invariably raise the proposals by 2-3 percent, put off reforms, and add expensive extras (this year, Greece is likely to demand a special package of aid measures for its farmers). The biggest danger is that, if Britain gets a deal to limit its budget contributions, it will give up fighting against high farm prices and excessive spending. That would be bad news for inflation, for the European taxpayer, and for the EEC's trade relations with other food exporters.

Mr. BENTSEN. Mr. President, I yield the remainder of my time to the distinguished Senator from Wisconsin (Mr. PROXMIRE).

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. I thank my good friend from Texas.

COP OUT TIME: CONGRESS AND THE ADMINISTRATION BLAME HIGH INTEREST RATES ON THE FEDERAL RESERVE

Mr. PROXMIRE. Mr. President, the No. 1 economic problem facing the country right now is a recession that includes 8.9 percent unemployment, increasing business failures, a home-building industry that is flat on its back, and an automobile industry staggering along at less than 50 percent of capacity. And what causes all of this economic distress? Answer: One simple primary and stubborn fact.

We suffer outrageously high interest rates that crucify the interest sensitive industries like housing and automobiles. Mortgage rates have risen to the incredible rate of 17 percent—on the average—in this country. At that level over 80 percent of potential home buyers simply cannot make the monthly payments necessary for buying the average new home. Last year less than 750,000 Americans bought new homes. That compares to

almost 1½ million in 1978. Today we have a pent-up demand for housing that would permit homebuilders to build and sell at least an additional million houses if we could bring mortgage interest rates down to 11 or 12 percent. Since each housing start requires 2 man-years of work, that means we lose 2 million jobs in housing alone because of high interest rates.

The auto industry, too, depends heavily on buyers financing their purchases on time. Three out of four persons who buy a new car, borrow to do so. Leaders in the automobile industry unanimously agree that the punishing level of interest rates shove monthly payments on cars beyond the reach of hundreds of thousands of potential buyers. In the auto industry we lose hundreds of thousands of jobs because of high interest rates.

Farmers as we know must borrow heavily and finance virtually all of their implement purchases on credit. But with interest rates so high, they simply cannot afford to buy the machinery and equipment they need to do a more efficient job. Result: The farm implement business is in trouble.

Small business typically provides the greatest increase in employment in this country and also depends heavily on credit to finance their working capital. But small business in many parts of the country has been paralyzed by high interest rates.

Now what I have stated so far will encounter little dispute in this body or anywhere else in this country. The question is who is responsible for these high interest rates, and what can we do about it? Unfortunately that has become a red hot, partisan issue in the past few weeks, featured by some of the most transparent buck passing in years. President Reagan has blamed high interest rates on the Federal Reserve and many Republican Members of the Congress have taken him up on it and sing the same song.

VOLCKER ROUGHED UP

Just last week Chairman Paul Volcker appeared before the Joint Economic Committee. He suffered a rough reception with members, particularly on the Republican side blaming him and the policies of the Federal Reserve Board for high interest rates. Treasury Secretary Regan followed him, and although Secretary Regan is the chief economic official of this administration, Republican members concentrated almost all their fire—not on the budget deficits and immense Treasury borrowing—that obviously drive up interest rates, but on the Federal Reserve Board. And Secretary Regan happily swallowed the alibi and pitched in, joining in the general condemnation of the Fed as the interest rate villain.

FEEBLE ARGUMENT

Now Mr. President, their argument has to be one of the feeblest economic arguments I have heard in years. They contend that interest rates are high because the Fed has not followed a sufficiently consistent policy of holding down the rate of increase in the supply of money. What are the facts? The facts are that since October of 1979 when the Fed announced that henceforth it would fight inflation by steadily and gradually reducing the rate of increase in the supply of money, the Fed has lived up to its word.

Each year since that announcement it has reduced the rate of increase in the money supply. For the full year 1981 the Fed increased the money supply by 2.1 percent. But that 2.1-percent increase included a very big 8.1-percent increase in the money supply in the fourth quarter. Republican criticism concentrates on the big increase in the final quarter and argues that that unsettled the financial markets so much, because it represented such a radical departure that interest rates began to rise again. Where does this Fed-is-to-blame argument come from?

Now, Mr. President, how does monetary policy affect interest rates? First, the greater the supply of money and credit, the lower will be the price of credit or interest rates. So will an increase—a big sudden increase like the big jump in the 1981 fourth quarter increase or reduce interest rates? Answer: It will work in both directions. The additional credit will tend to push down the price of that credit or interest. But the additional credit will also send a signal to the credit markets that the Fed is likely to curtail that temporary big jump in credit in subsequent quarters and reduce the rate of increase in the money supply to make up for it.

WHY EASIER CREDIT TEMPORARILY RAISES INTEREST

What happens when the financial community expects interest rates to increase in the future? Several things: First, those who are planning to borrow accelerate their borrowing in order to beat the expected increase in interest rates; this increases the demand for credit. Second, those who hold financial assets have a greater desire to sell them to avoid a future capital loss; this exerts additional pressure on the available supply of credit. Third, those who have funds to invest hold back in anticipation of a higher future return; this decreases the available supply of credit.

The combination of these factors—an increase in the demand for credit and a decrease in the supply of credit—cause interest rates to rise. In other words, the expectation of higher rates becomes a self-fulfilling prophecy. When the market sees a temporary

increase in the supply of money, rates go up in anticipation of a future tightening by the Fed.

So, yes, the big increase in the money supply in the fourth quarter probably has some effect in pushing interest rates a little higher—temporarily—until the next report on the money supply comes in and the Fed returns to its long-term policy of restraint. But we must not confuse this temporary fluctuation with the clear and now well-established Federal Reserve policy that the rate of increase in the money supply must continue to be low.

STRAINING AT GNATS

Indeed, the money market fully recognizes this determination. In fact, the reason they know the policy will be tighter in the next quarter is precisely because the Fed for 3 years now has established that restraint policy as their hallmark. Republican critics are truly straining at gnats when they condemn the quarterly fluctuations. The simple fact is that the Fed does indeed constitute the only game in town in fighting inflation.

EXTREME MONETARIST VIEW—THE LONG-LOST BROTHER

Well, Mr. President, there is an extreme monetarist view within the Treasury and academia which attempts to blame the Fed for high interest rates because it permits this excessive variation in the short-run growth of the money supply. Republicans in the administration and Congress are hugging it like a long-lost brother. These extremists—now administration—views apparently believe the Fed should stick to a fixed growth rate for the money supply over a quarter, a month, or even a week. According to this view, variations in the weekly money supply figures upset the financial community and cause rates to be higher than necessary.

Mr. President, if there is anything that upsets the financial community it is the week-to-week variation in the estimated budget deficit for fiscal year 1983 and future years. The financial community has been tracking the money supply figures for many years and by now it surely realizes that weekly or monthly variations in money growth do not add up a trend.

What would really happen if the Fed took the advice of these self-appointed critics in the Treasury? First of all, short-term interest rates would vary tremendously as the Fed attempted to counter every jiggle in the demand for money with offsetting open market operations. Second, the increased interest rate volatility would put many financial institutions under extreme pressure, especially the beleaguered thrift industry which lost \$5 billion last year. Third, the rest of the business community would become increasingly apprehensive of investing as

they saw short-term rates fluctuate widely from week to week. As one Governor of the Fed put it, they would think the Fed had gone bananas.

ADMINISTRATION'S NO INFLATION POLICY

The Congress and the administration continues to pursue a blatantly inflationary fiscal policy with mammoth deficits crowding \$100 billion. The administration has virtually written off any use of antitrust policy to fight inflation. We have the weakest antitrust, procompetition Federal policy today that we have had since 1980. The administration continues to waltz away from a free trade policy with trigger prices and various levels of import restraint. And this is the first administration in more than 20 years to have no incomes policy—that is no policy of wage and price restraint. So the whole burden comes down on the Fed to fight inflation. The administration agrees that we need to hold down the rate of increase in the supply of money to fight inflation.

The numbers—the sheer arithmetic—tells the story. The Fed is doing its job. Inflation has abated owing not to anything the administration or the Congress has done, owing almost entirely to the singlehanded efforts of the Fed, and now the Fed takes it on the chin from the President and Republicans in the House and Senate for pushing up interest rates. How ridiculous.

CONGRESS CANNOT PASS BUCK FOR FED

Mr. President, for 24 years I have served on the Senate Banking Committee. For 6 years I have been chairman of that committee. I have listened to the testimony of some distinguished chairmen of the Fed, to William McChesney Martin, to Arthur Burns, to William Miller, and now to Paul Volcker.

Without exception they recognized that the Fed cannot bring down interest rates in the face of an expansive congressional fiscal policy. Repeatedly they have inveighed against Federal deficit financing and excessive Federal spending. Again and again they have presented the committee with the simple alternative that confronts any Fed Chairman. In the face of high Federal deficits they can either monetize that debt by increasing the money supply at a more rapid rate and making more credit available, or they can refuse to monetize the debt and require the Federal Government to elbow private borrowers aside and borrow its hundreds of billions in the private market. Now, Mr. President, get this: whichever policy they follow they will drive up interest rates if we are running large Federal deficits.

NO ALTERNATIVE

They have no alternative. Consider: if they hold down the rate of increase in the money supply and continue to

fight inflation, Federal borrowing will compete for the scarce credit and interest rates will rise. And if they increase the rate of money supply creation, they will pump more money into the inflationary economy, drive prices up, and drive interest rates up further. Why? Because lenders will insist on the inflationary premium, a return higher than the anticipated inflation rate.

I asked Paul Volcker a couple of months ago when he appeared before the Senate Banking Committee whether he could follow any policy that would bring interest rates down now. His answer, "No." He could not. I pointed out that this was an extraordinary admission from our principal banker, the head of the agency to which the Congress had entrusted the money power. Volcker said he could not bring interest rates down. And, Mr. President, I agree with him.

Now, of course, I may be wrong. Volcker may be wrong. The President and the congressional Republicans may be right. Maybe the Fed is responsible for the high interest rates. But, Mr. President, who is responsible for the Fed? The answer: Look at the Constitution, article I, section 1, subparagraph 8 gives the Congress the money power; not the Executive, but the Congress. We and we alone have the power to coin money and regulate the value thereof. We created the Fed.

OUR CREATURE

It is our creature. A few years ago Senator Paul Douglas, the only truly outstanding economist ever to serve in this body, a former president of the American Economic Association, told Chairman William McChesney Martin to write on his bathroom mirror so he would see it every morning when he shaved: "I am a creature of the Congress." Let us not forget that. We as Members of the Congress have the full responsibility for the Federal Reserve. We can abolish it. We can recreate it. We can pass a resolution mandating whatever policies that we wish. We are the master. When we blame the Federal Reserve, we blame ourselves. If we say they are responsible for high interest rates, the next question must be, Well then, why do you not do something about it? We can.

CHALLENGE

And I challenge the majority leadership of this body. I challenge the President of the United States who is their leader. If the Federal Reserve Board causes the high interest rates, then tell us how you would change it; and be done with it. The Fed is not some untouchable, distant power beyond our reach. It has no holy function. It is not a group of private, distant bankers. It is our creature, our instrument, our responsibility. Oh sure, some say, the Fed is an independent agency. That independence only exists in the deliberate, calculated restraint

of the Congress. We can end that independence by simply passing a law. And if the Fed is following policies that drive millions of Americans out of work and bankrupt the homebuilding and auto industries why do we not step in and change those policies?

Why does not the President of the United States propose legislation to direct the Fed to follow a different policy? The President is, as a matter of cold fact, the legislative leader of our country. What legislation has he proposed to change the Federal Reserve? Answer: None; that is right, none. If the President wants to change the makeup of the Federal Reserve Board, he can propose to do so. I would strongly oppose such an action. But many would support it, and frankly, if the President made any kind of case that the Fed was, in fact, responsible for the present high interest rates the Congress would quickly support legislation to change the Board.

END THE COPOUT

So, Mr. President, let us not engage in this futile copout. If we really believe the Fed causes these high interest rates, bring on the legislation or the resolutions to change the Fed. If any Member should argue that the problem is Volcker, or the present board, not the fundamental law, then introduce a resolution to change Fed policy. Pass it, and the Fed would have no alternative except to comply. We could, for example, mandate the Fed to limit the increase in the money supply during any quarter or any month or week to a certain percentage or within a certain range, but has anyone proposed to do that? Of course; and why not? Because that kind of congressional interference with that complex professional job would make the situation even worse. Once the Congress brings its political clout into the day-to-day management of the Fed, you can kiss off any rational, steady, long-term policy.

So instead we trot out our favorite whipping boy, our prime scapegoat. How beautiful. We do not have to blame ourselves for our spending folly. No, no, no, no. As the distinguished senior Senator from Louisiana, Senator RUSSELL LONG, says: "Don't blame you, don't blame me, blame the man behind the tree." And the man behind the tree is the Fed.

Let us manfully face up to the fact that the Fed has not pushed interest rates up. I am positive they would love to get interest rates down. We—the Congress—have pushed interest rates up by creating a series of huge deficits that have given us \$1 trillion national debt and still growing.

And no matter how we squirm and twist and turn we cannot get away from our own responsibility. To get interest rates down we have to follow a painful, difficult course. We have to

cut spending even more deeply than we have; or we have to do both.

But how much more delightful to blame the Fed than to face the tough facts of life and do something about it.

Mr. LONG. Mr. President, will the Senator yield for a moment?

Mr. PROXMIRE. I yield.

Mr. LONG. Mr. President, let me congratulate the Senator on his statement. I did not get to hear all of it, and I may not agree with everything the Senator said, but I know I agree with a great deal of it.

I take it that the Senator feels that if you are not going to do anything about the Federal Reserve, you ought to be acting in other areas. As the Senator says, he does not think anything should be done about the Federal Reserve activities, I feel the administration is not doing anything about that. If that is the case, you ought to be acting in other areas.

You are either reducing spending, raising revenues, or a combination of the two.

I would like to ask the Senator if he would agree with me that very definitely we ought to be doing one of the three. Logically, the answer would seem to be, and I would ask if the Senator agrees with this, that you ought to reduce spending to the extent that you can.

Mr. PROXMIRE. I agree wholeheartedly with that.

Mr. LONG. Having done that, you then ought to raise revenue to fill in the slack.

Mr. PROXMIRE. Exactly.

Mr. LONG. That in no event should we go forward with the kind of deficit, both short term and long term, which means that people will not make the investments in equity and they will not make the investments in long-term bonds that are so essential to the recovery of the economy and to the future prosperity of America.

Mr. PROXMIRE. The Senator from Louisiana is 100-percent right. The result is that you are going to continue to have these tremendously high interest rates that destroy the home-building industry—17 percent mortgages. There is no way they can operate with those kinds of mortgages. The automobile industry also suffers terribly.

Mr. LONG. Does it not boil down to this: In terms of the economy, the easy tricks have already been taken. You can not hope to cut spending anything like as much as the \$38 billion that was cut last year, which started from a budget that the President said was greatly excessive. You would be very fortunate if you cut it even a quarter of that much. If you are not going to do anything about changing the Federal Reserve's activity, that means the only alternative would be to raise additional revenue by one recommendation or another, by some means

that would seem most fair and most equitable, most appropriate to the situation.

Mr. PROXMIRE. I could not agree more with the distinguished Senator, who is, incidentally, the long-term chairman of the Finance Committee and our outstanding expert on revenues.

Mr. LONG. I might ask the Senator this: Is he not aware of the fact that according to all the published reports, the Secretary of the Treasury agrees with that position, practically all of the President's economic advisers seem to agree with that position, and from what we learn from talking with other Senators they agree. That is, concerning the President's long-term inclination not to do that type of thing, not to ask for a tax increase, which seems to be standing in the way of the type of program that the Senator seems to think is necessary.

Mr. PROXMIRE. I think the Senator is correct. I think I would put somewhat more emphasis on cutting spending than the President would, even though he did very well last year. I think there are areas that are sacred cows that we have not touched that we have to touch. But the Senator is right, that we can not cut the budget enough to reduce unemployment to below 7 percent. If we can not get the deficit down to that level, we will have to increase revenues.

Mr. LONG. Just to get it clear so everyone can understand it, if the Senator had the decision to make himself, having set up recommendations for the economy and having achieved part of them, and perhaps not all by any means, would the Senator not then feel he ought to make a recommendation to raise revenues by whatever seems to be the most appropriate way to fill up the slack that he could not achieve by spending cuts?

Mr. PROXMIRE. On those assumptions, I think we should. There is no other way to do it. There is no way that we can say the deficit will be less than \$100 billion if everything works out all right, as the President said in his state of the Union message, \$100 billion from this President, one of the finest men we have had as President. But he is a man who has based his whole campaign on eliminating deficits, on balancing the budget. That was the heart of it, the crux of it. That is what people believed in and that is why people supported him.

Mr. LONG. The President suggested that if we do something to reduce the deficit in terms of revenue measures, nothing would be achieved because the Congress would just spend more money.

Let me ask the Senator, does that make any real sense, when we are facing a deficit of \$100 billion, to say if we do something to raise more revenues the Congress will spend more

money? Will that make sense under the circumstances?

Mr. PROXMIRE. Not under the circumstances. There are certainly circumstances where it does make sense. I feel our problem is that this is an enormous Federal Government that has grown way out of bounds, that has to be drastically reduced. But certainly when you come up with a program that falls as short as this one does in making the reduction, there is no alternative than to come up with more revenues or face the fact that you will have deficits that will be driven through the roof.

Mr. LONG. Mr. President, I applaud the Senator's statement in that regard. I hope that all of us, including those in this body who are very dear friends of the President, will continue to make the point to him that the leadership in this time, the leadership of the present, really demands that we economize every place we can economize, and having done that, that we reduce deficits, both present and future deficits, to at least a much more responsible level, which is the hope of the American people. Otherwise, it seems we will have very high interest rates for a long time to come and that is going to frustrate most of what we thought we achieved when we passed the Tax Recovery Act.

I think we would certainly hope that that measure, which was the biggest tax cut in history, would achieve that which we claimed for it, and even the President of the United States claimed for it. I know the Senator hopes that would be the case. We all share the objective that the program will succeed. We all voted for it. I voted for it. Did the Senator?

Mr. PROXMIRE. I sure did. I voted for the tax cut and the spending cuts.

Mr. LONG. No one has voted for more economy than the Senator from Wisconsin (Mr. PROXMIRE). Having done that type of thing, having voted for both the spending cuts and the tax cuts, we hope the programs will succeed.

May I say to the Senator that I am one of those Senators who went up to the White House at the President's invitation. He also invited other so-called conservative Democrats. I thought we ought to go along with the President on the 3-year tax cut, to cut in three stages.

I made the point at the time that if this thing did not work out the way we hoped it would work, that the President would be the first to come in and recommend that something be done about it. I hope very much that I will not be disappointed in that. Some took me at my word, thinking it made good sense. I hope that if it does not work, the President will make a recommendation.

Mr. PROXMIRE. I thank the Senate very much.

A STARTLING CONCLUSION FROM AN ANALYSIS OF GENOCIDE

Mr. PROXMIRE. Mr. President, the Jews of Hungary during World War II serve as an example of victims of genocide. Approximately 750,000 Jews lived in Hungary in 1941. By war's end, only about one-third of that number remained.

Professor Randolph Braham, in his book "The Politics of Genocide: The Holocaust in Hungary," examines this horrible occurrence by first studying Hungarian history predating the tragedy and then the daily progress of the extermination campaign itself.

Mr. Braham describes some surprising facts, and he reaches a startling conclusion. It seems the aristocratic leaders of the Jewish population who comprised the Jewish Council understood the consequences of deportation, but did not forward the information to lower level officials or any other segment of the population. They were attempting to avoid panic among the Jewish population, and as a result, preserve the relatively humane treatment being given to those who had not yet been deported.

Mr. Braham considers this approach to have been a serious tactical error by the Jewish Council. He suggests that if the entire Council had "resigned or committed suicide (emphasis added)" after publicly stating that all the deported Jews were being killed in concentration camps, "they would have created a situation of anarchy which would have awakened the Jews to the reality of the situation. That would have saved the most lives."

Now, I do not endorse the concept that the leadership of any religious, national, ethnic, or racial group need kill itself in order to protect the group itself. We enact laws, declarations, and conventions to protect the rights of human beings. The Genocide Convention would serve that function, if we would only let it.

The Genocide Convention was, in fact, drafted as a response to the Holocaust. The United States, the most concerned of all nations for the rights of mankind, has for 30 years been remiss in its consideration of the treaty. The Senate should hesitate no longer in ratifying this important convention.

DEREGULATION: THE DISPARITY BETWEEN RHETORIC AND REALITY

Mr. PROXMIRE. Mr. President, during the confirmation of the major agency and department heads of the Reagan administration last year, I asked each a series of questions about

their precise plans for deregulation as opposed to the general rhetoric that had been displayed during the election campaign.

Uniformly the answers came back without specific goals or precise documentation. At that time I asked the question: How substantial and how effective is this commitment to deregulation by the new administration? Is it only rhetoric deep?

The answer seems to come in two quite distinct parts. For those of us here in Washington, there is a perception that the effort at deregulation has been a huge success. Murray L. Weidenbaum, the President's chief economic adviser, has asserted that regulatory relief saved over \$6 billion last year alone. The Vice President's team heading up the deregulatory effort makes similar claims and cites the reduction in the number of pages of announcements in the Federal Register.

So if we are to believe what we hear and are told in Washington, deregulation has been a tremendous success.

But what of the conditions outside Washington? There we find a much different story.

Two articles in the Washington Post document this feeling in many local communities that the deregulation effort has not yet touched the lives of the average citizen. T. R. Reid looked at Appleton, Wis., and found that the people are still waiting for the Federal Government to get off their backs and out of their pockets. Time after time he cites conversations with local business and government officials who cannot give any examples of beneficial results of the reduction in regulations claimed in Washington. He calls this the disparity between rhetoric in Washington and the real life in a fairly typical American city. In some cases the deregulation of a Federal program has led to more paperwork from State agencies and the difficulty in having to cope with different standards from the 50 States. In some cases one type of regulation has been displaced by another. But in the vast majority of cases there simply is no evidence of the deregulation effort at all—none.

What of the majestic claims here in Washington? Have they not yet filtered down to the local level? Where is the \$6 billion in savings? How long will it be before citizens throughout the country feel the results of this huge campaign?

I hope it is not long in coming, Mr. President, and that when it does arrive, it is not simply rhetoric but reality. Mr. President I ask unanimous consent that edited versions of the two articles from the Washington Post by T. R. Reid and an editorial printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 1, 1982]

THE DISPARITY BETWEEN RHETORIC AND REALITY

(By T. R. Reid)

APPLETON, Wis.—Moved in large part by Ronald Reagan's promise to "get the government off your backs," the people of this neat, pleasant city on the north shore of Lake Winnebago gave him their strong support in the last presidential election and then sat back to await the results of his war against federal regulation.

They're still waiting.

There have been instances where the anti-regulation push in Washington has borne fruit here in Wisconsin; officials at Kimberly-Clark Corp., the big paper firm that has headquarters here, are still pinching themselves about an Occupational Safety and Health Administration inspection that lasted less than an hour. It used to take two days. But there have also been instances where the regulatory burden has increased; the student aid office at Lawrence University had to hire new clerical staff to cope with the increased work resulting from one of Reagan's "deregulatory" initiatives.

For the most part, though, a visitor to this city who asks how things have changed under Reagan and deregulation gets the same answer:

"None. None. We just bid a little sewer job, government funded, and the regs hadn't changed a bit," said Don Utschig, president of a construction firm.

"Nothing that Reagan's done has touched us yet, not even in personnel," said Judy Griffin, air pollution sampler.

"They're still sending me all the same paperwork with all the same questions to answer. This [Census Bureau] form they sent last week, it was two feet long," said Viona Klemp, municipal payroll clerk.

"Hasn't been any change in any rules that I can think of. From what I hear, not a damn thing's going to change," said Ty Stefl, dairy manager.

The disparity between rhetoric in Washington and real life in a fairly typical American city like this one (Appleton has a population of 60,000) probably reflects the sheer enormity of the government's regulatory apparatus. "The federal government is everywhere," says Bill Brehm, the city's energetic young planning director. "Reagan can maybe stop the growth of all this busy work, maybe cut it by 10 percent if he's really lucky, but you're still going to have 90 percent of it in place. See, that's still huge if you're the guy who has to plow through it all."

That perception, that government regulation has become an immutable part of life, may also contribute to the sense here that nothing much has happened. Some businesses here are so used to complying with regulations that they are even more resistant to change than the government.

In some cases, the "Reagan revolution" has led, paradoxically, to an increase in government red tape. Although Preston Wilbourne, president of Air Wisconsin, the successful regional airline that is based here, supported the president's firing of the air traffic controllers, he finds the result ironic. "In effect, they've re-regulated; the department [of Transportation] is controlling our traffic like the CAB [Civil Aeronautics Board] did before the deregulation."

After the Department of Education announced, with considerable fanfare, that it was "deregulating" the terms of guaranteed student loans, the business office at Appleton's Lawrence University had to increase its clerical staff from two persons to three to handle the paperwork. "The feds turned this over to the states," explains Marvin Wroldstad, Lawrence's vice president for business affairs. "So for anybody involved in administering these loans, you basically have to deal with 50 sets of rules instead of one."

"I'm sure in Washington they're talking about reducing paperwork and getting the government off your back and stuff like this," Wroldstad says. "But the fact of it is, out here, it hasn't changed much. There's some difference, yes, but it's not so much tangible as it is a change of mood."

[From the Washington Post, Feb. 2, 1982]

THE "NEW MOOD" UNWINDS SOME RED TAPE
(By T. R. Reid)

APPLETON, Wis.—With considerable trepidation and an underlying conviction that the effort would fail, Marvin Wroldstad picked up the phone a few weeks ago and asked for help from his local federal regulator.

Wroldstad, vice president for business affairs at Lawrence University here, had reviewed the plans for an experimental heating process, funded by an Energy Department grant, and decided that it wouldn't work.

But like any institution in frigid north-central Wisconsin, Lawrence had a lot of other energy-efficiency plans; Wroldstad wanted to spend \$8,000 of the unused grant to insulate some steam lines. To do that, though, the school would have to submit a whole new set of affidavits and application forms—a tedious process that could not be finished before the time period for the grant ran out.

"I figured before I went through all that I'd just try them out," Wroldstad recalled recently. "So I called the [Energy Department's] regional office down in Argon [Ill.], and lo and behold, they were very helpful. They helped us redirect the money. They found a way that didn't take as much red tape. They even granted a 60-day extension right on the phone!"

Most people here say that, despite the deregulatory hoopla in Washington, there has been almost no tangible change in the government's regulation of their jobs and their lives. But some business people have noticed an intangible change in the attitudes of the regulators they deal with.

"The attitude of the regulators, some of them, is basically different in the past year," says Paul Lenahan, a staff vice president at Kimberly-Clark Corp., the big paper products firm that is based here. "I guess a key word is trust. It used to be they clearly didn't trust you. Now it seems to be different."

According to senior administration officials, this change is quite deliberate. In his year-end assessments of the Reagan deregulatory effort, Vice President Bush tells audiences that "one of the biggest changes" in the field is a "new mood" on the part of the regulators—an attitude of cooperation rather than confrontation.

The value of a changed attitude is extremely hard to quantify, of course, and that is a key reason that no one in Appleton, not even the people who have noticed the change, will even begin to guess how

much money might have been saved in the process.

Back in Washington, the president's chief economic adviser, Murray L. Weidenbaum, has estimated that regulatory "relief" measures saved the nation \$6 billion last year. This guess may or may not be right, but there is zero substantiation for it here. Neither the giant firms like Kimberly-Clark nor small operations like WVMS-AM, a 12-person radio station here, can pinpoint even one cent of savings so far.

Meanwhile, people in the Appleton branch of the "regulation industry"—the lawyers, accountants and engineers who help people comply with federal regulations and measure their compliance—say they have felt no impact from the big antiregulatory push in Washington.

Last year, The Washington Post reported on Judy Griffin, a mother of three who was earning \$25 per week as a sub-subcontractor to the Environmental Protection Agency. Her job was to operate an air pollution sampling machine on the roof of a firehouse here. Early in 1981, Griffin was worried that Reagan cutbacks would cost her job.

"Well guess what," Griffin says now. "Under Reagan, I've expanded. We added two more test sites because people called in and complained about particulate emissions out of these [paper] plants. I'm making more than I ever was."

"I've got this friend in Washington," Griffin says. "He . . . keeps calling me and saying 'Don't you know what's happening to regulation?' . . . And I say, 'Out here, nothing's happening.'"

[From the Washington Post, Feb. 3, 1982]

APPLETON REVISITED

The Post's reporter, T. R. Reid, returned to Appleton, Wis., recently to see what has changed since he took stock of that city's complaints about over-regulation almost a year ago. Mr. Reid's findings are worth thinking about in relation to the administration's regulatory rollback.

Some improvements have been noted. The Occupational Safety and Health Administration, already rated as "the most improved agency" a year ago, has now reduced its safety inspections of the local paper mill to little more than a smile and a wave. That pleases the plant manager, at least, and other local people also note a new attitude of cooperation that makes their dealings with the federal government more efficient as well as pleasant.

On the other hand, no one sees any big dollar savings from the changes, and some things—such as administering government-aided student loans at the local university—are more complicated than ever. This inconsistency in federal policy shows up in other areas as well.

Business interests with ready access to the Office of Management and Budget, where regulatory policy is now centered, have usually received prompt, continuing relief from the nagging ache of federal regulation. A few industries, of course, such as the big trucking firms, don't want to be deregulated, and they have gotten their wish to be left alone. In the case of less favored constituencies, however, the prescription has been still more red tape. Welfare agencies, for example, are burdened with a host of new requirements to do such things as tally recipient's possessions and reduce errors to a level not achieved by even the most careful fiduciaries of public or private trust.

The administration's regulatory review is far from complete, and there is time to cor-

rect the imbalances and open the process up to wider inspection. Savings from improved efficiency should increase over time, and no one should undervalue the importance of administering federal rules with more common sense and understanding. But untangling red tape isn't as easy as it looks from the outside. The Appleton findings are clear about that.

ROUTINE MORNING BUSINESS

THE PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, not to exceed 20 minutes, with statements therein limited to 3 minutes.

THE LEGISLATIVE VETO

Mr. GORTON. Mr. President, I wish to call to the attention of my colleagues an editorial authored by the distinguished Senator from Missouri (Mr. DANFORTH) which appeared in the Springfield, Mo., News on December 3, 1981. The editorial addresses the subject of the legislative veto in the context of the Federal Trade Commission's used car rule, as well as the merits of that particular trade regulation. Since Congress adjourned last session without completing action on the proposed legislative veto of the used car rule, the FTC has resubmitted the rule to Congress for another 90 day review period. A new disapproval resolution, Senate Concurrent Resolution 60, has been introduced by the distinguished Senator from South Dakota (Mr. PRESSLER). I believe the subject of Senator DANFORTH's editorial should have the attention of every Senator. Besides Senate Concurrent Resolution 60, it relates to S. 1080, the regulatory reform bill, and the proposed legislative veto provision in that context.

The recent decision of the U.S. Court of Appeals (D.C. Circuit) which declared the legislative veto unconstitutional in a natural gas pricing case is also an interesting development which is relevant to these bills. Although that case involves the Natural Gas Policy Act of 1978, the court's opinion contains expansive language questioning the validity of the legislative veto in a broad sense.

I ask unanimous consent that the editorial from the December 3, 1981, Springfield News be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Springfield News, Dec. 3, 1981]

"USED CAR RULE" FIGHT TO BEGIN AGAIN
(By Jack Danforth)

This year the Senate adjourned without taking action on a proposal to veto the Federal Trade Commission's "used car rule." Under the rule, used car dealers would be required to disclose known defects in the cars they sell. The disclosure would be made

on a window sticker posted in the window of each car. Since Congress did not act, the FTC will have to resubmit the rule in 1982, and the veto fight will begin anew.

I have never supported the legislative veto as a tool to curb regulatory excesses. In my view, the legislative veto only encourages sloppy legislating (on the theory Congress will always have a second bite at the apple), and then invites Congress to spend valuable time debating the worst sort of minutiae, all the while playing into the hands of special interest groups.

The resolution to veto the Federal Trade Commission's used car rule is a textbook example of what's wrong with the legislative veto.

Over the last weeks of the congressional session, while the recession went on apace, the members and staff of the Commerce Committee debated the wisdom of auto window stickers. Opponents of the FTC's used car rule say they are not opposed to FTC regulation of used car sales, but only to the FTC's rule. But they propose no alternatives.

Either the FTC should be in the business of regulating the sale of used cars or it should not. If the FTC should regulate the sale of used cars—and most commentators, opponents as well as supporters of this rule, seem to think such regulation is appropriate—then I think Congress should be prepared to support the FTC in its work. If Congress cannot support the work of the agency, we should be prepared—through legislation—to provide appropriate guidance to the FTC as to how it should proceed. The veto resolution gives the FTC no guidance whatsoever.

Some who oppose the rule say it would have been better if the FTC had ordered dealers to inspect the cars they sell (the rule does not do that now, despite rumors to the contrary). Others say the matter should be left to the states. Still others simply tell the FTC to try again. In my opinion, if this rule is vetoed the FTC would be well-advised not to try again. Until Congress decides what it wants to do about used cars. It will find all sorts of trumped-up reasons to oppose the FTC's work—reasons which are nothing more than excuses to justify a response to a well-organized lobby.

Certainly, it is possible for reasonable people to differ on the wisdom of the FTC's rule. However, with all due respect to my colleagues, I simply do not believe that the support for this veto resolution reflects sober study of the merits and demerits of the FTC's rule. It reflects, instead, the influence of a well-organized lobby. Nowhere is a valid case made that the FTC has acted in excess of its jurisdiction or in contravention of clearly articulated congressional policy. Today, we placate used car dealers. Tomorrow, it will be another group. And then another. This, in my view, is not the way the Congress of the United States should make public policy. I believe the FTC has acted well within its statutory mandate. Further, I support the rule on the merits.

The rule requires dealers to disclose known defects to the purchasers of used cars. I see nothing wrong with that. If a used car is defective and the dealer knows the car is defective, it seems to me the dealer should tell the customer that the car is defective. That is what the rule tells used car dealers to do. Nothing more. Nothing less. I cannot find anything wrong with that.

In fact, I find much that is right with the FTC rule. The marketplace works best when

neither buyer nor seller is at an overwhelming disadvantage in raw bargaining power or in information. The marketplace works best when buyer and seller have access to basic information from which to strike a sound bargain.

This debate comes at a suspicious time. When the Senate reconvenes this month it will debate a mammoth piece of legislation known as the Regulatory Reform Act. At that time, efforts will be made to attach a legislative veto provision to the bill, giving Congress power to veto administrative rules across the board. In that debate, Congress would do well to consider our recent experience with the used car rule—and reject the veto proposal.

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TELEVISION AND RADIO COVERAGE OF SENATE PROCEEDINGS

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to the consideration of Senate Resolution 20, which the clerk will state by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 20) providing for television and radio coverage of proceedings of the Senate.

Mr. BAKER. Mr. President, I suggest the absence of a quorum. I may say, Mr. President, for any Senators who are in the Chamber or who may be listening in their offices, that there is a high likelihood that this quorum call will go live, so I would encourage Members to come to the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 3 Leg.]

Baker	Gorton	Stennis
Ford	Long	Warner
Garn	Packwood	

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of the absent Senators.

The assistant legislative clerk resumed the call of the roll and the following Senators entered the Chamber and answered to their names:

Abdnor	East	Mitchell
Andrews	Exon	Moynihan
Armstrong	Glenn	Murkowski
Baucus	Grassley	Nickles
Bentsen	Hart	Nunn
Boren	Hatch	Pell
Boschwitz	Hatfield	Percy
Bradley	Hayakawa	Pressler
Bumpers	Heflin	Proxmire
Burdick	Helms	Pryor
Byrd	Hollings	Quayle
Harry F. Jr.	Huddleston	Randolph
Byrd, Robert C.	Humphrey	Riegle
Cannon	Inouye	Roth
Chafee	Jackson	Rudman
Chiles	Jepsen	Sarbanes
Cochran	Johnston	Sasser
Cohen	Kassebaum	Schmitt
Cranston	Kasten	Simpson
D'Amato	Kennedy	Specter
Danforth	Laxalt	Stafford
DeConcini	Leahy	Stevens
Denton	Levin	Symms
Dixon	Lugar	Thurmond
Dodd	Matsunaga	Tower
Dole	Mattingly	Tsongas
Domenici	McClure	Wallop
Durenberger	Melcher	Zorinsky
Eagleton	Metzenbaum	

Mr. STEVENS. I announce that the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mrs. HAWKINS), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Maryland (Mr. MATHIAS), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Delaware (Mr. BIDEN) are absent because of illness.

The PRESIDING OFFICER. A quorum is present.

Mr. BAKER. Mr. President, will the Chair state the business now before the Senate?

The PRESIDING OFFICER. The pending question is to proceed to the consideration of Senate Resolution 20.

Mr. BAKER. I thank the Chair.

Mr. President, I understand that the distinguished Senator from Mississippi has a statement to make at this time. There may be other statements in the course of the afternoon.

I remind Senators that there is presently an order to vote on this motion on tomorrow. I would not expect the Senate to be in very late today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. I thank the Chair.

Mr. President and Members of the body, you have just heard the announcement here that the motion to take up this measure will be voted on tomorrow sometime, and that being settled, I am not trying to take up any time here or anything like that, to kill time or try to bring about some parliamentary advantage or anything of that kind.

Before I get to the merits of this matter, though, I want to say with the

greatest emphasis that any points that I make—Mr. President, if I may have permission to just wait here until the Chair can give me the floor—

The PRESIDING OFFICER. The Senate will be in order. The distinguished Senator from Mississippi has the floor and has asked that the courtesy of this Chamber be extended to him.

Mr. STENNIS. I asked for order, Mr. President, here on the floor where there is very slight attendance, but whoever is here, if a Member is here, just one, who wants to hear what I say, I want it to be possible for him to hear it.

The PRESIDING OFFICER. I ask the Senators to please clear the well so the Senator from Mississippi, who has the floor, can proceed in what I think would be an orderly fashion.

Can I please ask Senators to clear the floor, clear the well, so that the Senator from Mississippi can proceed? Extend to him the courtesy he deserves.

Mr. STENNIS. Mr. President, what I wanted to make very clear in the beginning is that the author of this resolution is the Senator from Tennessee (Mr. BAKER), and in him we could not have a Member whom I respect more, whose ability I respect more, and whose purposes are higher than I believe his to be, and that is based on years of close observation and association, no affinities or obligations between us particularly. But I remember distinctly the day he came here and the way he has moved into discharging his responsibilities not only for Tennessee but for the institution of the Senate and the country, which is something to be admired, and I do admire it and I appreciate very much his fine services.

I remember I said something in December, too, about the leadership with which we are blessed here in the Senate, the four men, and I referred to them, the two respected leaders and their principal assistants.

We went through a year last year that had the greatest volume, I think, of legislation of any year since I have been around, at least ever since the time of the 100 days in the so-called New Deal's beginning.

These gentlemen worked together with effectiveness, high purposes, and kept the body informed and kept us moving in discharging these duties in the very finest tradition and the very finest fashion. It is something that might not be noticed by many of the public, and even we do not notice it, maybe in appreciation as we are harried here at times by various problems.

But I made that statement with reference to the Senator from Tennessee (Mr. BAKER), and I have already called him by name; the Senator from West Virginia (Mr. ROBERT C. BYRD), the Senator from California (Mr. CRAN-

STON), and also our assistant leader here, the Senator from Alaska (Mr. STEVENS).

So we are all indebted to Senator BAKER, and we appreciate very much those services.

I am thinking and speaking today with all of my feeling and judgment that I do have about the institution of the U.S. Senate.

Mr. LONG. Mr. President, will the Senator yield for just a moment?

Mr. STENNIS. Yes. I believe the Senator from Louisiana has spoken first and then I will yield to the majority leader.

Mr. LONG. Let me just say that I want to associate myself with the compliments the Senator paid the majority leader, the Senator from Tennessee (Mr. BAKER).

One of the many great things about the Senator from Tennessee is that he is one of those men who has the breadth of personality and judgment to see, to realize when he made a mistake, and to even tell his friends that he made a mistake on occasion. You cannot say that for all people. I regret to say you cannot say that for all Senators. Some Senators think that they cannot make a mistake. They are like the Irishman who said, "I will admit when I am wrong but I am never wrong."

The Senator from Tennessee is one of those great Americans who, if he has made a mistake, when he becomes convinced himself that he has made a mistake, has the strength of character to admit it. He would say, "Well, yes, I made a mistake on that; if I had known then what I know now it would have been different."

I think that is a very fortunate thing for this body, because none of us is perfect. I know I have made mistakes in life, and most people have. The Senator from Tennessee is one of those great Americans who has the strength of character and enough confidence that he will be right about most things, that when he has made a mistake, he is fair enough to admit it, looking at it at least from hindsight. There are a great number of people who cannot measure up to that test.

(Mr. MATTINGLY assumed the chair.)

Mr. STENNIS. Well, I appreciate the Senator's remarks very much.

I yield to the Senator from Tennessee.

Mr. BAKER. I am grateful to my friend from Mississippi and my friend from Louisiana. I have to say I am overwhelmed; I am gratified beyond words to have these remarks, to the extent that they apply to me, made by one of the patriarchs of the Senate, one of the leading lights of this body, a man whose career I have patterned my own after in many respects, and in the remarks as well of the Senator from Louisiana, whom I admire inordi-

nately. He and I have been on the same side of issues many times, and I believe we have some scars and bruises to prove it.

But I have to confess with some levity in hearing these comments that I keep waiting for the semicolon and "however." I think I will sit down, Mr. President, because I fear I will not be disappointed. [Laughter.]

Mr. STENNIS. Very well, Mr. President. The Senator from Tennessee's remarks are in keeping with his performance here, too.

Now, Mr. President, getting to this institution, I am talking about the debate here, this forum of debate here, in this Senate Chamber, upon the broad, big policies—the small policies, too—but the tremendous importance of there being a virtually unlimited forum for that exchange of views wherever it is desired, and in an atmosphere that will permit an appeal to the very best there is in the minds and judgments of our fellow Senators here.

So there are 200 years of precedents here and feeling on behalf of the public that the Senate is to a degree a court of appeals. That does not mean they are superior to the House of Representatives. The very opposite, but that their approach is different, and there is a reason for that. So we cannot just brush that off here by saying, "Well, that is old fashioned; it never did apply properly." That is something that the people of the country have been bred on, you might say, in their public thought, their ideals of their affairs being settled here in a forum of debate and exchange of views.

This resolution does not add one iota to the ability or the need or whatever extent it is to get these views out to the people.

Freedom of the press is not involved. There is no one trying to do anything against the TV industry or the profession or any kind of activity of theirs. As a matter of fact, it may not be known, but we have to my right here one story above this story in the Capitol itself—the TV facilities there for all the networks, as I understand it. The door is open there to any Member of this body. He can walk in more or less on his own invitation, but he comes there by invitation primarily of the TV systems that can invite him.

Then on the lower floor, the so-called basement floor, there are adequate cameras of the highest type adequately manned by professional people, owned by the public, paid for with taxpayers' money and available to us for a small charge to our accounts, our allowances, and it goes out under the judgment of the Senator himself as a public document for the benefit of any TV service or network

that might see fit to use it. That is adequate.

I hear no complaint about it. I have not heard one iota of suggestion from the people, and I am a Senator who goes out among the people a great deal, calling for or asking for or saying that they think it is needed to open up this Chamber now beyond the free forum that it already is, and put a TV camera, you might say, at the desk of every Senator and open it up to the possibility—you cannot restrain a Senator now once he gets in a position to obtain the floor, and obtains the floor—open up the possibility of the birth of a new type of demagoguery; call it what you will; call it by a more polite name—I am talking about the possibilities—open it up to a systematic grouping of one Senator or more Senators to a series of demagogic assaults on any sitting Senator, on any sitting President, upon any idea or any other policy of our great Government.

As I have said, there is no physical necessity for these cameras. I do not believe there is any kind of a public demand nor need. I believe we are unnecessarily opening up an avenue that we will be unable to control once it is put in use, and abuse, and will prove to be a vexing and disturbing element of our public thought.

Mr. LONG. Will the Senator yield?

Mr. STENNIS. Yes; I yield.

Mr. LONG. Mr. President, may I just say to the Senator, in support of his statement, that this Senator was re-elected at the last election. He went all over his State and was interviewed on television wherever any TV station had enough interest or enough kindness to present him on their own. He bought time on their stations, as well. This Senator appeared on many radio stations for interviews. Not one person in the whole State said, "Well, Senator, why can't we bring our TV cameras inside that Senate Chamber," or "Why can't we bring our radio microphone in there?" Not a single one anywhere in the State.

Now if the merit is there for the argument that we are denying public access, then certainly you would have thought that somebody would have made the point that they felt that television should be in the Senate. And I think the Senator would have found, in his tours around the State of Mississippi, the same type thing on behalf of his citizens.

Mr. STENNIS. I think the Senator is entirely correct. And the complete absence of this sentiment among our people is proof of the situation.

I have not heard any TV operation, any studio ownership, or anything mention the subject of television cameras here. I had one exchange ownership right near where I live just a few months ago. And I called up the purchaser, a very esteemed lady in Texas—I do not think she would

object at all to my calling her name—Mrs. Hobby, who was once here in the Cabinet since I have been a Senator. I just called her up in a word of welcome. I was very much impressed with her response that she owned one or two others.

She had a clear-cut understanding, and she was active in the careers, and members of her family were not going to let any of the TV stations fall into the hands of unworthy or reckless or careless ownership that did not have the full and highest regard for their responsibility to the public, exercising this special privilege of controlling the airwaves to the extent that one would have.

It was just one of those things. I have been impressed with her here as a member of the Cabinet. But I was just pleased with her response there about the way she felt about her obligations.

So there is what I would call the very highest order of this profession—and it is a great profession—that have that view.

Now, why open this up and abandon, to a degree, the concept of being a court of appeals? Whether we have debates as much as we did in the old days is not controlling. We have to make judgments as to how we are going to use our time. But the forum is here, and if it is not settled in the committee rooms that I favor so much also, then it is settled here in what is a rather high type and well-informed debate.

I do not know if I am going to sit here and hear a fellow Senator speak over the camera that is going right directly to his home State; I do not know how good I am going to be at distinguishing whether he is talking to the people in his State or whether he is talking to me, a challenge to my judgment to see that matter like he does. And it is a privilege now, and has been for me over the years, to hear these presentations on this floor, when it was so evident that the man or woman was moved by a sense of conscientiousness, of an obligation to the country, to this body, to the constitutional principles, and there we picked up a guidance. I do not want to see that mission of the Senate invaded.

Now I think I can refer to last year's debate in 1981, in my opinion, as more legislation passed through this Chamber certainly since any time since I have been here, and I think it compares with the days of the so-called depression in volume, but at the same time here with all of that rush and everything else we rather maintained the high standards that have been carried out. Now if we have all these cameras—it will be the equivalent of 100, not 100 physically, but each Senator is going to have a camera, you might say, and he is going to control it under the very liberal rules of the Senate where

he can get any more than 5 minutes or 3 minutes or 10 minutes, as it is in the House, and the House has to have a rule of that kind because of their large membership. But even though there may be just one or two, they are going to control that camera and dominate it and make it serve in these purposes. I think it ought not to be allowed here with the other accesses that we have.

Once we get into this and adopt this pattern and make that the order of the day, there will be small chance then to stop it or to change or to go back to our pattern for real discussion and the weighing of matters on the merits.

Mr. LONG. Will the Senator yield at that point?

Mr. STENNIS. Yes.

Mr. LONG. It seems to me that we ought to recognize, minus some change in the rules that has not even been discussed or suggested to us, that a single Senator would be in a position to insist that he have the floor on television at such times and for the length of time that he might feel would serve his purposes. And that might be a great deal of time.

I can recall how the Senator from Oregon, as I mentioned, used to take this floor and speak at about 5 o'clock and speak for hours on end. I do not criticize that. He had a right to do it and I think it served a purpose. But in that Senator's case, when any leadership, be it Democratic or Republican, did not see fit to go along with the Senator on what he felt were his rights to be heard at length at such time as he wanted to be heard, that Senator would just sit here and object to every unanimous-consent request. And the leadership would find it such a burden trying to do business with a single Senator in an uncooperative mood that they would have to go along.

He would pretty well have the Senate to himself, and with as much time as he wanted, to speak at great length. I do not see how, unless someone can show us changes that have not been proposed up to this point, one could prevent a person who wanted to use this Chamber to present himself in a campaign for President of the United States from using the Senate for just such a purpose.

Some may say, "What is wrong with that? Why should people not be able to do it?"

I am sure they would like to use that to run for President of the United States, but that is the second question we ought to ask ourselves. Do we really want to spend \$5 million to install cameras and then close to \$1 million a year to provide someone a nationwide TV access, particularly when it reaches the point where one speaks directly to the American people from the Senate floor? Do we want to spend

millions over a 6-year period providing a single Senator that type of a multi-million dollar platform from which to advance his race for President of the United States? He has a lot of access now, but he can do it because people put up private contributions. He does not have it available at the taxpayers' expense.

Mr. STENNIS. That is certainly a good point. I was never happy about the situation of running for the President of the United States for 3 or 4 years. I say that with all deference to anyone who has run. I say 3 or 4 years. But if you put those cameras in here and a person wants to run or is thinking about it, he will find he will have to go to using that camera in self-defense, if for no other reason. He cannot sit back and wait to within a few respectful months of the campaign starting before he goes to using the camera right here in this Chamber to promote his own campaign. Other candidates would be promoting their campaigns. It would be a matter of self-defense. I believe we would get into a jam and it would be embarrassing here to all of us, to a degree.

We would rather live with each other, of course, giving each man as much as he might wish, but I think this would be highly detrimental to the Senate and its functions and its business.

The other day some Senators referred to the increased volume of the *RECORD*, of the things that went into the *RECORD*, on the use of television in the House of Representatives. I have also heard reports from others as to their State legislatures. I think that is only natural. It is something that we can expect, but the point I really make is that we just do not have any time here to spare.

A lot of the time, it may look as if we are wasting time or that we have nothing to do. But when you get into the volume of matters that these 100 Members have to pass on in the course of a 12-month period, it is almost appalling. First there are the committees. The committees have to go through the material, the authorization committees, and then the Appropriations Committee. There are many overlaps. Then it all has to come here to the floor to be reviewed and considered. It is just overwhelming.

In recent years, I had a count done as to how many line items there are in the appropriations bills. A line item means it is the appropriations bill itself and has a figure on which we must make a judgment. In the defense bill for that year there were 3,300 line items that had to have that consideration. That bill went to conference and came back in a different form. There had been over 1,200 differences between the House bill and the Senate bill. Those items had to be gone into and considered on another basis and

agreed to by the House and the Senate before it would become a bill which was in the stage where it could be brought back here and also taken to the House for final passage.

In the first calendar year I was here, there were 73 rollcall votes in that entire year, 73 recorded rollcall votes in this body.

In 1980, the last year for which I have the figure, there were 703 rollcall votes. I understand that last year we had something over 600 recorded rollcall votes, although I do not have the figure.

(Mr. HATCH assumed the Chair.)

Mr. LONG. Will the Senator yield?

Mr. STENNIS. Yes, I yield.

Mr. LONG. Mr. President, does that not point up an additional problem? Every Senator generally would like to be considered as a candidate for reelection at some point. There may be some who plan to retire, but generally speaking most Senators who come here would hope that their services would be such that they would merit being continued in office. You cannot blame any Senator for doing things which by no means are corrupt, by no means against the law, but just things that put them into the public eye, things that attract attention to their services. The polls show that while the Senate as a whole may not merit this degree of approval, practically every Senator has the overwhelming majority of approval of the people of his State. The legislation that he is offering tends to be that which has the support of his people.

If the Senator had an amendment pending, be it an amendment which would be accepted by the committee, where ordinarily we might just accept it and get on with the business of the Senate, would it not be to the Senator's advantage to insist on a rollcall vote notwithstanding that fact. While that rollcall is going on people will see it on television. All of that period of time they are voting on the Jones amendment, and that impresses people. Here are all those Senators voting on Senator Jones' amendment. They will watch with interest to see who will vote for their Senator's amendment. Does that not tend to create interest in that Senator to a favorable extent?

Mr. STENNIS. The Senator has described a practical situation. You cannot just cut a Senator off. People will ask, "Why do you not make him shut up?" Well, it is not done that way. You have to give him his day. We owe it to him. But things will develop along these lines.

The Senator from Louisiana has handled a world of legislation where he has done such a fine job. He knows the work in getting a bill passed here very well.

Mr. LONG. Will the Senator yield further?

Mr. STENNIS. I yield.

Mr. LONG. I ask the Senator, who has served as chairman of the Armed Services Committee and who has served as chairman of many important subcommittees on the Appropriations Committee as well a question. Has he had this experience while managing a measure here on the floor: To have someone offer an amendment, then the manager offer to take the amendment without there being an objection. But, someone wants a rollcall vote, there then would be a rollcall vote, which delays the Senate. Senators are told to come and vote on something where the committee would accept it, where there would be no opposition.

Mr. STENNIS. We have to have self-discipline in that field. We have been too good to each other, too lenient. I have known the days here when you could not get a rollcall vote unless at least one of the floor leaders backed you up. They just would not do it unless they thought it deserved a rollcall vote. If it was a policy question, it need not have a rollcall vote. That is why we only had 73 in 1948.

Mr. LONG. Will the Senator tell us how much time the average rollcall vote will consume?

Mr. STENNIS. Mr. President, the minimum is 15 minutes for the actual calling of the roll. It takes about 25 minutes to wrap it up, I would think.

Mr. LONG. I just want to say to the Senator, to make it clear from the point of view of this Senator that it has been my experience that to have someone offer an amendment to a Finance Committee bill—not one time, it happened several times. We would have someone offer an amendment to a Finance Committee bill. As the manager of the bill, the Senator from Louisiana would offer to accept the amendment, then we would have that Senator insist on a rollcall. Then the Senate had to go through a rollcall. That consumes a lot of time.

The point I am making is that if the Senate were on live TV, with as many as a million people out there looking at this—that is only one-half of 1 percent of our population—then it tends to implant in the public's mind the name of the Senator—who he is, what he is interested in—to see the Senate voting, all the Senators coming in and voting on Senator Jones' amendment. So we would have a great deal more of this thing of people insisting on a rollcall vote when it is not necessary.

In fact, a Senator told me, and I guess this has occurred to the Senator from Mississippi, a Senator told me if this comes along, he will never offer his amendments to the committee. He will wait and offer his amendments on the floor, because when he does that, he is before his constituents. His constituents will see him offering an

amendment and even if it is voted down, it would be approved by a majority of his constituents. They see their Senator moving and he is the Senator getting attention during the time it is being voted. I ask the Senator how much additional time that would require of the Senate.

Mr. STENNIS. That would require a bit and we have to go to closing down on those matters rather than opening them up.

As I said, when the Senator from Louisiana and I came here, someone had worked out rules even before then that made it possible for the Senate to move along better to dispatch its business. Now it has been greatly increased and we shall open things up here to a Pandora's box.

Mr. LONG. I thank the Senator.

Mr. STENNIS. I thank the Senator.

Mr. PRESSLER. Mr. President, will the Senator yield?

Mr. STENNIS. Yes, I yield.

Mr. PRESSLER. Mr. President, I wanted to ask if it would be better, because I am an advocate of TV in the galleries. I have such great respect for my colleagues. From some of the arguments I have heard, I wonder if it would not be better if we operated in secret.

Are not arguments being advanced against television here that I have heard of, in the old days, when there were some debates when the Senate considered operating in secret. All the arguments that I have heard in support of operating on the Senate floor without any galleries, in the debate to open the galleries, the same arguments were used, and on letting the press cover even our proceedings here. I ask this question very seriously, and I meant to follow through with my colleague from Louisiana, for whom I have such high regard, and I am asking these questions in a very friendly fashion. It seems to me the argument that I have heard is if a Senator is going to be giving a speech for the folks back home, he might do that in the press gallery or try to say something the press will quote. Almost the same arguments are being repeated here as during the debate on whether the Senate should operate without a gallery or without press coverage.

Maybe this does not fit in here. I do not mean to ask this question here, especially. Perhaps my colleague from Louisiana could comment later. But would not these arguments support operating in secret on the Senate floor?

Mr. STENNIS. There is a special provision in the resolution itself that does not give the Rules Committee control over that part of the proceedings.

The Senator brought up a section that I was just about ready to point out in particular, that the provision in

Senate Resolution 20 as written now says that the Rules Committee shall control the operation and the extent and so forth of the application of this privilege of telecasting.

It seems to me that that language is a very brazen statement to the effect that the Senate is going to surrender all its powers in that field once the resolution is passed, and turn it over to a committee, the Rules Committee, composed of a majority very carefully worked out. One party will have a majority along with the other committees. Then maybe, when the membership changes, it will shift back and forth.

The point is that no single committee on a matter as far-reaching as this should be given control of the operation of matters on the floor. It just will not work at all. I do not know what prompted that. No evil prompted it, of course, but it just shows that we get into problems to start with that absolutely would not work. Then we would be having a majority vote down in the Rules Committee, however fine they are, and they have to pass on this and that. To ask them to favor one Senator over another for political reasons—we cannot submit to a rule of that kind, I say to the Senators. If we are going to have this thing, we shall have to have a *modus operandi* that will give both sides an equal say in some fashion as to how matters are going to operate.

Mr. LONG. Will the Senator yield?

Mr. STENNIS. Yes; I yield.

Mr. LONG. Mr. President, may I say it is fortunate the Senate brought up this matter about secrecy because I think it should be discussed somewhat. May I just revert to the point the Senator made in the beginning?

Nothing could be more irrelevant to this argument than the question of secrecy. I do not know what arguments were made when the Senate first built the gallery in the early days of the Senate. I have not researched it. I could not care less, because secrecy has nothing to do with this debate. We have a Press Gallery that, when the debate started, was fully manned. At the moment, it is partially manned. But if someone makes a harsh mistake out here, or someone says something that could mean his political demise, that gallery would be filled in a hurry, because there are a few behind that door standing by. They would get the word to their colleagues that something exciting is happening at the moment.

This body is covered at all times by the major wire services and by the networks. While it is true that those people from time to time do not have their full membership in the Press Gallery, they have somebody around representing them at all times. If anyone says something on the floor that is important from a news point of

view, they have arrangements with all their friends to call them immediately and tell them something exciting is happening here. And that Press Gallery would fill up in a hurry.

The press and also the TV and radio networks are very much tuned in. They know everything that happens in the Senate. I must admit that, on occasion, somebody has placed something in the *RECORD* that they have paid scant attention to in spite of our best efforts on that occasion, but if it is newsworthy, they will correct their error in a hurry.

Also, may I say that every word we speak is taken down and printed in the *CONGRESSIONAL RECORD* the following morning.

It is totally irrelevant, Mr. President, the issue of secrecy. If people want to know what is going on, they can find out.

Mr. PRESSLER. If my colleague will yield further, the argument was made yesterday that if we have TV in the Senate Gallery, there will be Senators making speeches for the folks back home. Perhaps now we are making speeches for the folks in the press gallery.

What is the difference? I think if we had TV and radio in here, we would not have to depend on the news media to filter out certain things. Judgments could be made by the American people who wish to watch.

In a lot of our State legislatures, including my own, actually the quality of debate has gone up. There is no closed rule in our State legislature; but as to the people who have abused it, it is quite apparent that our people out there are very perceptive. If they see us abusing the speechmaking privilege here, they are going to reward or punish that Member.

I think there is nothing like the American voters being able to see their representatives.

If we adopt the arguments of the Senator from Louisiana, we would certainly want to have this Chamber be secret, because we certainly would not want a situation where somebody might be giving a speech to the Press Gallery, and somebody else might be making a speech because some people from his home State are in the gallery.

There are a lot of motives that might be construed, other than legislative, under the guidelines laid down yesterday by the Senator from Louisiana.

It seems to me that if we are to follow through on the logic of the Senator from Louisiana, we would go back to the debates in the early days, when we were trying to decide whether to make this a secret chamber in which only deliberations would occur that only the Members would know about and speeches would not be given

for any reason other than legislative, presumably.

Surely, the logic the Senator from Louisiana is putting forth is an argument for secrecy on the Senate floor.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. STENNIS. Yes, I yield.

Mr. LONG. Mr. President, We have the press, the TV and the radio represented here. We have all these seats in the gallery, including a special section for diplomats from foreign countries, and all those seats are not filled. If anyone, in addition, wants to come and fill one of those seats, he can. Everything is being taken down and put in the RECORD.

To talk about secrecy, I think, is irrelevant.

I did make the point that it will take a great deal more time, just as the fact that one would find it necessary perhaps to address himself one way with less technical language when he is addressing himself to the people back home.

But the point I was stressing was that it would take much more time and without getting the public's work done the way it is now.

I know that my colleague, who has served in the State legislature, will address this matter later in this debate. His impression is the same as every member of our State legislature with whom I have discussed the matter. Even when they put the radio in the Louisiana Legislature there, it enormously extended and increased the amount of debate.

When the cameras were in there or when the radios were in there, when people felt they were being heard by the broad audience out there, it just stimulated a great deal more discussion than it did when that was not the case. In fact, the experience we had in our State legislature is that it takes a great deal more time. In fact, they say it usually takes about twice that time.

Mr. BAKER. Mr. President, will the Senator yield to me at this point?

Mr. STENNIS. Yes, I yield.

Mr. BAKER. Mr. President, I planned to make remarks after the Senator from Mississippi had completed his presentation, and I apologize to him for the interruption. On that particular point—that is, the possibility that television will extend the time spent in session and greatly burden our physical resources—that is not what happened in the House of Representatives.

I have before me a list of the days in session of the House of Representatives in the 96th Congress, the 1st and 2d sessions, and in the 97th Congress.

They began televising House proceedings in the 96th Congress, and the hours in session went down every year, from 975 to 653 this past year, after television.

Mr. LONG. Will the Senator yield to me at this point?

Mr. STENNIS. Yes, I will yield briefly.

Mr. LONG. Mr. President, as I explained yesterday, experience in the House is not comparable to that in the Senate. The House operates under a closed rule. The House of Representatives has a rule under which they can limit their time to half that much, even though a great number of Representatives would like to speak twice as much as they are doing now.

We do not operate under House rules, and that is one of the strongest arguments I know against adopting this measure—that we would be compelled to go to a rule similar to that in the House. That would mean an end to free debate in the U.S. Senate.

Mr. BAKER. Mr. President, I am not going to ask the Senator to yield on that point. I will cover that point when I have an opportunity to gain the floor in my own right. But I note, if the Senator will permit me to say so, that I completely disagree with that. I do not think it would push us toward a closed rule. I think it would open up the Senate in terms of observations that the country can make and in terms of the way we conduct our business.

Mr. STENNIS. Mr. President, I do not expect to keep the floor much longer. I will have something more to say later about this matter.

I think we should understand fully now that we are no doubt making the most far-reaching change here that has been made in a long, long time, with reference to the possibility of the practices on this floor by perhaps just a few Members. Nevertheless, those few can be very effective in bringing about certain conditions in an election year, in a Presidential election year, and so forth, in which a small number could nevertheless dominate the entire atmosphere of this floor, using almost unlimited time.

There is no way to control or restrict—of course, you cannot do so under the American system—what a person is going to say on any points, so long as he is decent about it. I think we are just opening up a Pandora's box, and we can very easily carry on all the traditions and needs of the situation without this.

Another point, Mr. President. If we are going to open this up to what is said here, we certainly have to be honest about it and not lead the people of America to believe that what they can see just on the camera, the person making the speech, is the whole story of what is going on around here.

If we are going to be honest about it, we will have to show them day after day all these vacant seats. Somebody will have to make explanations of some kind as to where the Senators are, that they are in the committees, and so forth, carrying on there as best they can.

That opens up the question whether or not a Senator is satisfied with the explanation that was made as to where he was. He may want to come in and explain that.

I think we would be dishonest if we were just to give a nice looking picture of the Senator delivering a speech and say, period, that is what is going on in the Senate today.

That does not tell the story of what is going on here in the Senate today.

Another thing: I make no reference to the present situation. This is kind of an easy going debate here. But in my concept of the U.S. Senate, it is out of order if the Presiding Officer is not in order, and he cannot be in order and talk on the telephone and preside over the Senate.

I am not alluding to our present situation here. This is kind of a free running debate. But it takes a lot of the wind out of me, when I am making a speech, to look up there and see all of a sudden that the Presiding Officer is talking to somebody—I do not know where. I might have said something that caused him to think, and he might be transmitting it, but probably not.

I say this in good fun to our present Presiding Officer who graces the chair. He is very effective.

I think we will have to put that on the cameras, too, and let people see just how things are going here.

There is one other thing I wish to refer to, and this is not something started by our leaders. I do not know how it started. I refer to the congregation down here in the well, when everybody comes in, first 2, or 3, or 4 down there, and you look around and there are 10, or 12, and then 15, or 20, then 35, or 40, or 50. I have seen it when it looked like 60 people were standing around down there.

And I kind of halfway overheard a lady say in the gallery "What in the world are they doing?" And someone said, "They don't know what they are doing."

I do not know. That might have been a pretty good observation.

We come in here under the pressure of these conditions now and one of the ways that remains to find out is when you meet and talk down there with someone in the well who is knowledgeable in the field that this vote is on. We are trimmed down to that thin source, after all.

So, there has to be some explanation of that. I think we have to put these rollcall votes on television. Let the public see that also. Otherwise, we would just be misleading the viewers.

So, that illustrates the serious problems that it brings up, and this is the trouble we can stay out of, if we just clean up our house. Let us put it this way, that at the very most let us clean up our house and straighten up the

furniture and get into better habits and make a better appearance before we go on TV.

We should not just turn it loose now as it is. I have already spoken of the great respect I have for our leadership. We are to blame. I blame the membership, not them. But if we have to have television, just have to have it, let us go to work and work hard for a year to improve our own behavior here and our own responses and then when we get in better shape it might increase the chance of this resolution passing, but it might not.

My counsel is let us at least clean house, get it in order, reform ourselves and then come back and consider these matters quite seriously which I am sure we will.

Mr. President, I do wish to make some other points later in this debate.

For the time being I yield the floor.

Mr. BAKER. Mr. President, it would be difficult for me to overstate the respect and affection I have for the distinguished Senator from Mississippi. As I indicated earlier, I have respected him almost to the point of veneration on the floor of the Senate for his personal bravery and courage and for the example he has set for those of us who have had the privilege of serving with him over the years.

I respect his remarks and evaluation of the present situation, and he understands that when I disagree with him on major elements of this debate I do so without personal rancor and with no diminution of my respect for him as a Senator or as an individual.

Mr. President, I said on yesterday and I will repeat now in response to the suggestion that we should get our house in order before we go on television a story I like to tell that probably is not true, but illustrates a point, and that is, the experience Will Rogers had years ago after he had been in Washington for a while. Will Rogers was a great philosopher and a great humorist, but he was also an active observer of the political scene.

The story goes that Rogers went home after a few months in Washington and was walking down the streets of his home town and someone said, "Will, is it true, that Congress is made up of thieves and rascals?" He said, "Yes, but it is a good cross section of its constituency."

Mr. President, Congress is not made up of thieves and rascals but we are a good cross section of our constituency. We are indeed a microcosm of America. Sometimes, our arguments are better than they are at other times. But there is no point in us cleaning up our act. We are what we are. And we are a good cross section of America and because of that, America is entitled to watch and to know what we are doing in the gallery of the Senate and on television, in my judgment.

I have listened to the arguments for the last couple of days and I respect them and I understand the concern that Senators express about broadcasting to the Nation. But, Mr. President, there is an old saying on television, used by one of the Saturday night shows on one network, which will remain unidentified. "It Is Not Yet Ready For Prime Time Players." No one is going to contend that the Senate has to be prime time fare and on all four networks. We are going to be lucky or unlucky depending on your point of view if we have a few watchers on the cable, and every now and then we get a little time on the 6:30 news, or I think it is 7 o'clock here in Washington. We are usually late. We are going to be lucky if anyone watches for a while.

But, Mr. President, we should do nothing to change the nature of the Senate. The Senate is a great institution. It is the balance wheel which keeps democracy on track. It is the framework on which the Republic is constructed. It is the essence of compromise. It is the only place where there is unfettered expression of individual views. It is the last fortress that can be used to defend against the tyranny of a temporary majority.

I would not change a thing about that. I have no hesitation about the people of this country seeing this Chamber in action.

I would not want to dress up our act. I would not want to clean up the house.

Some say, Mr. President, with great sincerity and concern, and I understand, that television may provide a forum, no matter how large or small, for a Senator to advance his or her political career and to run for President from the floor of the Senate. I may say parenthetically that running for President from the floor of the Senate is a remarkably unrewarding experience, and I speak from firsthand knowledge as some of my friends here in this Chamber can too. While it is also true that the Senate is the cradle of Presidential candidates and Presidents, I do not think that is any significant problem. I can think of only a few Members of this body who can go up to the gallery or out on the steps or wherever they go and almost automatically get on the network news. Maybe televising the Senate will give everyone a chance. It might be nice. At least you would not be cut and end up on the editor's floor if it was live and gavel-to-gavel on the cable.

Maybe millions will not watch, but someone will watch and in any event the country will see, through the extension of the electronic media as if they were in the gallery, the workings of the Senate as it is, without embellishment, without apology, in the essence of the genius which is this body.

So, Mr. President, I do not think that we are likely to provide a forum for Presidential candidates. I think on the contrary we are more likely to introduce to the American people an array of 100 Senators, every one of whom, without exception, has special qualifications that the country should be acquainted with and special talents that will commend them to this Nation and not just to the constituency of their State. We are Senators of the United States and in a very real way all of us represent every person in this country as well as our own States. Television in the Senate will give every Senator a chance to be seen at least by those who wish to see firsthand the operations of this, the greatest deliberative body on Earth.

Mr. President, the point was made that it is a great expense. There has been a lot of controversy about the cost. I am no expert on that.

But the testimony, as I recall it, in the Rules Committee was that the initial cost of installing television together with all the attendant paraphernalia would be something slightly in excess of \$3 million, and by the way I am told by staff of the Rules Committee that those figures were based on retail list prices for equipment and I expect that that is probably not what we should pay. If it is, we should get after whoever it is that is buying the equipment.

But it is an initial cost of about \$3 million. I personally do not think it will run that high. After the system is in place, the costs per year, according to the Rules Committee testimony and report, will be approximately \$300,000 a year, which is about 600 pages in the CONGRESSIONAL RECORD. It costs us more than most people realize to publish the CONGRESSIONAL RECORD, I can assure you.

Mr. President, it is not an extraordinary expense in terms of the return on that investment, the return that will come from the penetrating gaze of the sovereign citizen who can see firsthand the innermost workings of this body as it goes about the business of formulating the public policy of the Republic.

I apologized earlier for interrupting the Senator from Mississippi and the Senator from Louisiana in the midst of their colloquy as it related to the concern expressed that television in the Senate would unduly extend and prolong the nature of debate. At that time I made a point that I will repeat: According to the official records of the Congress since the House of Representatives began televising its sessions gavel to gavel, the number of hours in session for the House of Representatives has dropped from 1,116 in the last session of the 95th Congress to 653 hours in the first session of the 97th Congress.

The result has been dramatic. There is no shortage of business transacted by the House of Representatives. Indeed, the size of the CONGRESSIONAL RECORD, considering their business transactions and legislation and their extension of remarks, is approximately the same now as it was then.

The volume of business is not very different. But the hours in session are dramatically different, almost 50 percent less, and that suggests to me, Mr. President, that with the constant inextinguishable attention that television provides it is an incentive for people to tighten up their debate, to say what they have on their minds without repetition, and to present it in a more attractive and legible way.

I believe, Mr. President, that the House of Representatives is greatly improved in terms of the general conduct of their debate, perhaps even in the total operations of that body since the advent of gavel-to-gavel coverage by live television.

We are not speaking, Mr. President, of a sponsored program. We are not competing with the daytime or nighttime soap operas. We are not competing with some great social event or sports event or even some great political event. We are proposing two things: First, that there be coverage of this body for those who wish to see it, regardless of the size of the audience; and second, that the proceedings of this body should be recorded permanently on magnetic tape and stored in the Library of Congress for future scholars and historians to examine and to understand.

Every day that goes by recording our proceedings only on the printed page robs a future generation and some future historian of the opportunity to hear and understand the energy, the humanity, the feelings, the pathos, and the humor that go into the debate—all of which humanize the consideration of the great issues before this Republic.

It is like Mathew Brady deciding to burn all his negatives after the Civil War, or the Continental Congress destroying video tapes of their proceedings. Incidentally, the first Constitutional Convention was closed, which created a huge furor, and Congress also was closed. The Senate was, at least for the first, I believe, 7 years of the Republic, without even a public gallery, until it succumbed to pressure to open it up to public scrutiny. I repeat what I said, that if we had had television then, we would have had it televised then. But we did not.

In any event, Mr. President, I think the time has come—it may not be convenient to televise the Senate, we may not like it, we may not like the remarks that come from some of our constituents about some of our speeches and positions, we may not like the effect it has on our chances and pros-

pects for reelection, we may not like it when the people do not like what we do on a particular issue—but we are what we are, and the business of the Senate is not to conceal what we are. The business of the Senate is to do the public's work in a public place, and television, Mr. President, is the next and best step that we can take for that purpose.

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—VOTING PROCEDURE ON THURSDAY

Mr. BAKER. Mr. President, earlier today and on yesterday the distinguished minority leader and I notified the Senate of the possibility of altering the existing unanimous-consent request in respect to a vote on a motion to proceed to the consideration of Senate Resolution 20, as well as the vote on the Helms-Johnston amendment No. 69 to S. 951, the Department of Justice authorization bill.

I am happy to report that on this side of the aisle I am able to clear the unanimous-consent request that covers both of those points. I have discussed this with the minority leader. If he is prepared to proceed, I am prepared now to state the request for his consideration and that of the Senate.

Mr. ROBERT C. BYRD. Mr. President, I am prepared to proceed.

Mr. BAKER. I thank the minority leader.

Mr. President, I ask unanimous consent that on Thursday, February 4, at 11 a.m., S. 951 be laid before the Senate and that amendment No. 69, as amended by the Senator from North Carolina (Mr. HELMS), be made pending, with a time limitation of 90 minutes, to be equally divided between the Senator from Connecticut (Mr. WEICKER), the Senator from Louisiana (Mr. JOHNSTON), and the Senator from Michigan (Mr. LEVIN).

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Reserving the right to object.

Mr. BAKER. Just one moment, Mr. President.

Mr. President, to restate that, I ask unanimous consent that on February 4, at 11 a.m., S. 951 be laid before the Senate and that amendment No. 69, as amended by the Senator from North Carolina (Mr. HELMS), be made pending with a time limitation of 90 minutes, to be divided into three equal

portions of 30 minutes each as follows: 30 minutes to the Senator from Connecticut (Mr. WEICKER), 30 minutes to the Senator from Louisiana (Mr. JOHNSTON), and 30 minutes under the control of the Senator from Michigan (Mr. LEVIN).

Further, I ask unanimous consent that at 1:30 p.m. on Thursday, February 4, the Senate proceed to a rollcall on amendment No. 69 to S. 951; that following the disposition of amendment No. 69, as amended, pursuant to the unanimous-consent agreement of December 14, 1981, S. 951 be laid aside, notwithstanding any cloture motion which may be filed in connection therewith, and that S. 951 may be called up at any subsequent time by the majority leader, after consultation with the minority leader, with a vote on any such cloture motion to occur 1 hour after the Senate returns to the consideration of the bill.

Finally, Mr. President, I ask unanimous consent that following the rollcall vote on amendment No. 69, as amended, the Senate proceed to vote on the Baker motion to proceed to the consideration of Senate Resolution 20.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, and I shall not object, is it the understanding of the Senate, Mr. President, that following the rollcall vote on amendment No. 69, as amended, the Senate would proceed, without further debate and immediately, to a vote on the Baker motion to proceed to the consideration of Senate Resolution 20, without any intervening motion or quorum call?

Mr. BAKER. Yes, Mr. President, that is my intention.

I would inquire of the Chair if that is the effect of the request as it is presently stated?

The PRESIDING OFFICER. As has been modified by the minority leader, that will be the effect.

Mr. BAKER. Mr. President, I adopt the language of the minority leader in respect to the modification.

The PRESIDING OFFICER. Is there objection?

Mr. BAKER. Mr. President, before the Chair rules, may I put a question in respect to my own request? During the time for debate, as provided for in this request on amendment No. 69, would it be in order for any Senator to submit a petition for cloture under rule XXII prior to the disposition of the vote on the amendment?

The PRESIDING OFFICER. It would be in order.

Mr. LONG. Mr. President, the Senator is not asking for any change in the order, as I understand it. He is asking if it would be in order.

Mr. BAKER. That is correct.

Mr. ROBERT C. BYRD. Mr. President, may I ask the distinguished majority leader a further question? With

respect to the vote on amendment No. 69, as amended, which would precede the vote on the Baker motion to proceed to the consideration of Senate Resolution 20, a motion to reconsider and a motion to table a motion to reconsider are not ruled out?

Mr. BAKER. They are not ruled out under the form of this request, Mr. President, as I understand it. I inquire of the Chair if that is the Chair's interpretation.

The PRESIDING OFFICER. As further modified, they would be allowed.

Mr. ROBERT C. BYRD. Mr. President, is it not also a fact that under the agreement there would be no time for debate on such motion to reconsider?

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERT C. BYRD. Mr. President, may I ask one further question of the distinguished majority leader? Is it the understanding that following the votes on an amendment by Mr. HELMS and on the motion to proceed by Mr. BAKER there would be no further rollcall votes tomorrow?

Mr. BAKER. Yes, Mr. President, I wish to announce at this time that after those two rollcall votes, or the disposal of these two matters, there would be no further rollcall votes on Thursday. After examining the calendar of items that might be available for action, I can find nothing that would usefully engage the attention of the Senate on Friday. Therefore, it would be my intention to ask the Senate to recess over until Monday.

Mr. ROBERT C. BYRD. I thank the distinguished majority leader.

Mr. President, it is conceivable that there could be a series of rollcall votes. Would the distinguished majority leader also include in his request that after the first rollcall vote on the amendment by Mr. HELMS, any subsequent rollcall votes would be back to back, limited to 10 minutes, with the exception of the vote on the motion to proceed?

Mr. BAKER. Mr. President, I have no problem with that. To restate the suggestion of the minority leader, the vote on the amendment would be 15 minutes in length. If there are other votes, such as a motion to reconsider, on which there would be no time for debate, or a motion to table, on which there would be no time for debate, then those votes, if either of those votes occurred, would be 10 minutes each, if they were back to back.

Mr. ROBERT C. BYRD. Yes.

Mr. BAKER. The rollcall vote on the motion to proceed, which also would be back to back under this configuration, would be 15 minutes in length.

Mr. ROBERT C. BYRD. Yes.

Mr. BAKER. I have no objection to that.

Mr. President, I include that in my request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LONG. If the Senator would be so kind, I would like to inquire of him how this works out assuming that the Senate agreed to a motion to invoke cloture by Mr. JOHNSTON—

Mr. BAKER. It is not a cloture vote. It is a vote on the amendment.

Mr. LONG. A vote on the amendment. Assuming the Senate agrees to the motion to proceed, which I anticipate is likely to happen, what will we be discussing by the time we get through with all these votes? What will we be talking about tomorrow afternoon?

Mr. BAKER. I say to my friend from Louisiana, if nobody derails the train, we will have two votes tomorrow afternoon and go out until Monday, at which time we will begin consideration of Senate Resolution 20 on its merits.

Mr. LONG. I thank the Senator.

Mr. ROBERT C. BYRD. I would like to express my appreciation to the majority leader at this time for his courtesy in rearranging the time for the vote to occur on tomorrow afternoon.

Mr. BAKER. I thank the minority leader. I am most pleased to do that. I thank him for supplying suggestions and information on how best these matters can be handled.

THE EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, I have two other small matters. One deals with the Executive Calendar of today.

I will advise the minority leader that I have certain nominations which have been cleared on my side and I wonder if there are any names on that calendar today which he is in a position to consider by unanimous consent at this moment.

Mr. ROBERT C. BYRD. Mr. President, I regret to advise the distinguished majority leader that the minority is not ready to proceed with those at this time.

ORDER FOR RECESS UNTIL 10 A.M. ON TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 10 a.m. on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BENTSEN ON TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order, the Senator from

Texas (Mr. BENTSEN) be recognized under a special order for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. It is my intention, Mr. President, to provide a brief time for the transaction of routine morning business after the special orders, but I will not do that at this moment so that we can assess the situation at that time.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I am prepared at this time to ask the Senate to go into time for the transaction of routine morning business if there is no other business on the pending motion to be disposed of.

I see no Senator seeking recognition for that purpose.

Mr. President, I ask unanimous consent that the Senate now have a brief period for the transaction of routine morning business to extend not past the hour of 3:15 p.m., during which Senators may speak for not more than 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. I yield the floor.

TWO-YEAR BUDGET CYCLE—S. 1683

Mr. FORD. Mr. President, early last week, our colleague, the junior Senator from Indiana (Mr. QUAYLE), introduced a bill to establish a 2-year budget cycle. I welcome the Senator to the evergrowing number of Members of Congress who feel that the time for such a change has come.

On the day marking the end of the last fiscal year, Senators BUMPERS, DANFORTH, PELL, and I introduced S. 1683, which among other changes in our budget process, would provide for 24-month budgeting and appropriating. Since then, as Members have come to realize more and more that our present 12-month cycle is simply inadequate, there have been frequent statements in support of the biennial budget concept.

In a few days, the President will be submitting to Congress his budget proposals for fiscal 1983. I need not remind my colleagues that we are far from completing our work on the 1982 budget.

The third continuing resolution for fiscal 1982 expires on March 31.

Three major appropriation bills have yet to be finalized.

We still must adopt a third fiscal 1982 budget resolution; and very shortly the first fiscal 1983 budget resolution, and possibly a reconciliation resolution shortly thereafter.

The time is simply too short to accomplish these tasks with any assurance of doing it right, if, indeed, at all.

I have asked the Budget and Governmental Affairs Committee chairmen for early hearings on S. 1683. I hope Senator QUAYLE will join us in this request so that adoption of the 2-year budget procedures can occur soon.

May I take this occasion also to urge all of my colleagues to join in the request for early hearings. The need for this change becomes more apparent with each passing day. We must now give it the attention and consideration it deserves.

THE U.S. EMPLOYMENT SERVICE IS VITAL

Mr. MOYNIHAN. Mr. President, since my Senate responsibilities require that I stay close to this Chamber today, I ask that you allow me to take this opportunity to lend my support to hundreds of New Yorkers who are now assembled to protest the actions recently taken by this administration to dismantle the U.S. Employment Service. It is with some measure of relief, I am sure, that they gather today with the knowledge that the administration has already reversed its position. On Monday, President Reagan asked Congress to approve \$210 million in supplemental appropriations to restore funding for the staff of State employment security agencies. Although a crisis has been avoided, our concern must not wane.

Let me briefly explain the background to this averted crisis so that my colleagues may fully appreciate the serious nature of the administration's actions. During the consideration of the third continuing resolution, many of our colleagues in the House of Representatives and many in this body, myself among them, were concerned that the size of the reductions being made in the grants to States for unemployment insurance and employment services threatened to undermine the fiscal soundness of the unemployment insurance system. In order to avoid this outcome, we included a provision in the bill to the effect that appropriated funds could not be used to close down unemployment insurance offices.

Let me be very clear, and the record of these debates will verify my point. We carefully explained in both the Senate and House reports that we would provide a supplemental for additional administrative costs should unemployment rise and the cost of an increased UI workload exceed appropriated levels. Despite our carefully written record of congressional intent, however, this administration decided to cut the funding for local Employment Service offices far below even the President's September budget re-

quest, in order to divert resources for unemployment insurance service operations.

The numbers tell the rest of the story. Under the administration's plan, thousands of Employment Service staff across the country would have been laid off, and at a time when they are needed the most. In my own State of New York, 57 percent of our statewide employment service staff would have needlessly lost their jobs.

What is unsettling now that this crisis has been averted and the administration has asked for supplemental funds is the alarming fact that the administration would ever have conceived of so severely dismantling the U.S. Employment Service. We can expect by the end of this week that the unemployment rate will be the highest level experienced by our Nation since the Depression. In the face of record levels of unemployment, however, the Reagan administration has cut back funding for CETA by 61 percent, for trade adjustment assistance by 83 percent, for WIN by 33 percent, and the list goes on. And now, without congressional approval—and it seems to me in violation of congressional intent—the administration unsuccessfully attempted a stab at the Employment Service, a service which has been the principal and most effective provider of publicly supported job search assistance since the beginning of the 1930's.

The Employment Service's record of success is important here. Not only unemployed workers but employers as well agree that the service ES provides in facilitating the match between unemployed workers and unfilled jobs is hardly a wasteful or unnecessary expenditure of Government funds. Indeed, in fiscal year 1981 alone, the Employment Service placed about 5½ million unemployed workers in jobs.

There is a troublesome insensitivity to the plight of the unemployed underlying the administration's recent actions regarding the Employment Service. The administration acted on its own discretion to the detriment of not only employers and unemployed workers, but to the very integrity of the Employment Service as well. I am concerned that we watch more carefully for this sort of insensitivity—guised as fiscal accountability—as we consider administration proposals for further budget cuts in training programs and the like. As economic conditions worsen in the near future, I look to this body to hold strong for this Nation's longstanding commitment to helping unemployed workers get back to work. The U.S. Employment Service is a vital part of that commitment, and I trust this body will continue to give the Service its steadfast support.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:36 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5397. An act to amend Public Law 97-76 to extend the period during which authorities provided under the Department of Justice Appropriation Authorization Act, Fiscal Year 1980, are continued in effect.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2571. A communication from the Secretary of Transportation transmitting, pursuant to law, notice of a violation of law by the Urban Mass Transportation Administration involving spending in excess of appropriations; to the Committee on Appropriations.

EC-2572. A communication from the Secretary of Energy transmitting, pursuant to law, a preliminary report on the prospects for foreign applications of wind energy systems; to the Committee on Energy and Natural Resources.

EC-2573. A communication from the Inspector General of the Department of Health and Human Services transmitting, pursuant to law, notice of a proposed computer match of certain social security records of Black Lung beneficiaries; to the Committee on Finance.

EC-2574. A communication from the Inspector General of the Department of Labor transmitting, pursuant to law, notice of a proposed computer match of certain Federal Employees' Compensation records with those of Black Lung beneficiaries; to the Committee on Governmental Affairs.

EC-2575. A communication from the Acting Assistant Secretary of the Interior for Indian Affairs transmitting, pursuant to law, an assessment of bilingual education needs of Indian children in Department of the Interior schools and those receiving aid under the Johnson-O'Malley Act; to the Select Committee on Indian Affairs.

EC-2576. A communication from the Acting Secretary of Agriculture transmitting, pursuant to law, a report on efforts to operate the tobacco program at no net cost to taxpayers; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2577. A communication from the Executive Associate Director of the Office of Management and Budget transmitting, pursuant to law, notice of apportionment of an appropriation to the Bureau of Alcohol, Tobacco, and Firearms on a basis necessitating a supplemental appropriation; to the Committee on Appropriations.

EC-2578. A communication from the Secretary of the Treasury transmitting, pursuant to law, notice of two violations of law involving expenditure of funds in excess of appropriations by the United States Customs Service; to the Committee on Appropriations.

EC-2579. A communication from the Deputy Secretary of Defense transmitting, pursuant to law, a report on certain officers and employees of Federal Contract Research Centers whose pay exceeds that for Level II of the Executive Schedule; to the Committee on Appropriations.

EC-2580. A communication from the Director of the Federal Emergency Management Agency transmitting, pursuant to law, a report that the Agency acquired no real or personal property during the quarter ended December 31, 1981; to the Committee on Armed Services.

EC-2581. A communication from the Assistant Secretary of the Air Force for Research, Development, and Logistics transmitting, pursuant to law, notice of the conversion of the Closed Circuit Television Maintenance function at Andrews Air Force Base, Maryland to performance under contract; to the Committee on Armed Services.

EC-2582. A communication from the Assistant Secretary of the Air Force for Research, Development, and Logistics transmitting, pursuant to law, notice of the conversion of the commissary shelf-stocking and custodial services function at Hanscom Air Force Base, Massachusetts to performance under contract; to the Committee on Armed Services.

EC-2583. A communication from the Assistant Secretary of the Air Force for Research, Development, and Logistics transmitting, pursuant to law, notice of the conversion of the transient alert services function at Hill Air Force Base, Utah to performance under contract; to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations:

Walter J. Stoessel, Jr., of the District of Columbia, a Career Member of the Senior Foreign Service with the personal rank of Career Ambassador, to be Deputy Secretary of State;

Powell Allen Moore, of Georgia, to be an Assistant Secretary of State;

John R. Bolton, of Virginia, to be an Assistant Administrator of the Agency for International Development.

Mr. PERCY. Mr. President, I also report favorably a nomination list in the Senior Foreign Service which appeared in the CONGRESSIONAL RECORD of December 15, 1981, and, to save the

expense of reprinting them on the Executive Calendar, I ask that they may lie on the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. JEPSEN:

S. 2054. A bill to amend the Internal Revenue Code of 1954 to provide that the 1982 individual income tax rate reductions made by the Economic Recovery Tax Act of 1981 be given a full year effect for purposes of withholding, and for other purposes; to the Committee on Finance.

By Mr. HAYAKAWA:

S. 2055. A bill for the relief of Vottoria Givone; to the Committee on the Judiciary.

By Mr. TSONGAS (for himself, Mr. CHILES, and Mr. LEVIN):

S. 2056. A bill to amend the Fair Labor Standards Act of 1938 to provide that blind persons may not be employed at less than the applicable minimum wage under that Act; to the Committee on Labor and Human Resources.

By Mr. KASTEN:

S. 2057. A bill to amend title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

By Mr. ROTH (for himself, Mr. CHAFEE, and Mr. INOUE):

S. 2058. A bill to promote foreign trade in services, and for other purposes; to the Committee on Finance.

By Mr. COHEN (for himself and Mr. LEVIN):

S. 2059. A bill to change the coverage of officials and the standards for the appointment of a special prosecutor in the special prosecutor provisions of the Ethics in Government Act of 1978, and for other purposes; to the Committee on Governmental Affairs.

By Mr. NUNN:

S. 2060. A bill to amend the Small Business Act to increase the authorization for funding 301(d) Small Business Investment Companies, and for other purposes; to the Committee on Small Business.

By Mr. MOYNIHAN (for himself and Mr. MATHIAS):

S. 2061. A bill to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public and Indian lands, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MATTINGLY:

S. Con. Res. 61. Concurrent resolution to direct the Commissioner of Social Security and the Secretary of Health and Human Resources to conduct a study on steps which might be taken to correct the social security benefit disparity known as the notch problems; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. KENNEDY):

S. Con. Res. 62. Concurrent resolution to congratulate Hadassah, the Women's Zionist Organization of America on the celebration of its 70th anniversary; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JEPSEN:

S. 2054. A bill to amend the Internal Revenue Code of 1954 to provide that the 1982 individual income tax rate reductions made by the Economic Recovery Tax Act of 1981 be given a full year effect for purposes of withholding, and for other purposes; to the Committee on Finance.

REDUCTION IN TAX WITHHOLDING

Mr. JEPSEN. Mr. President, today I am introducing legislation, and asking that it be referred to the appropriate committee. The legislation will give the Treasury Secretary authority to immediately reduce tax withholding for individuals to reflect the 10-percent tax cut scheduled for July. The idea is not to increase the size of the tax cut in any way, merely to amortize or spread it out over the entire calendar year. For this reason, the cost to the Treasury should be nil.

When we enacted the Economic Recovery Tax Act last year, it was not yet apparent that the Nation was moving so swiftly into a recession. Consequently, this factor was not taken into consideration when the timing of the tax cut was agreed upon. Now we are in a sharp recession, with unemployment rising daily. It is too late to enact any new programs to deal specifically with the recession, since it will likely be over by late spring, and it is doubtful that Congress or President Reagan would approve any such program anyway in this time of fiscal austerity. But we have already enacted a tax cut to take effect in July. I am simply urging that we put some of that \$16 billion cut into people's pockets now, when they need it most.

By putting money into people's pockets now, we will help stimulate lagging retail sales, help offset the social security tax increase which took place January 1, help hard-pressed Americans coping with declining real incomes, and, hopefully, put some people back to work. All of this will be done without increasing Government spending or enlarging the tax cut one penny in a manner totally consistent with the President's economic program.

I also believe that this proposal will help reduce any possible inflationary pressure which might arise from enactment of the tax cut as currently scheduled. Since we will likely be in recovery by July, some of the fiscal stimulus may put pressure on prices. Putting dollars into the economy now, when there is a high degree of slack, however, would make it far less likely

that there will be any impact on prices.

The only conceivable criticism I can imagine is that reducing tax withholding now will cause the Treasury to borrow somewhat more money in the first half of this year. However, it will borrow less in the second half of the year. Moreover, since the recession is the main factor fueling the budget deficit, insofar as we are able to mitigate the effects of the recession, it will favorably impact on the budget. By the same token, we will be shifting about \$4 billion of the tax cut from fiscal 1983, which begins on October 1, back into fiscal 1982. Thus, although this may increase the fiscal 1982 deficit somewhat—that is the year we are in now—the fiscal 1983 deficit will be reduced. Consequently, there is no reason why financial markets should react unfavorably to this legislation.

I am leaving open the question of precisely how the withholding schedules should be adjusted, since it obviously depends on when this legislation becomes law. We could simply mail a check to each taxpayer for the excess withholding from the first of the year, or we could prorate the withholding from whatever date is feasible. I personally see no reason why, if we act quickly, workers could not begin to see the results in their paycheck by April 1. This legislation simply gives the Treasury Secretary authority to make whatever adjustment seems reasonable.

Whatever date we choose doesn't really matter in the end, Mr. President. Giving people a 10-percent tax cut for half the year is the same as giving a 5-percent tax cut for the whole year, since the Tax Code cannot differentiate between income earned in the first part of the year or the last part of the year. Either way, it works out to be about a \$16 billion cut. I am only saying that we ought to let people see some of that money in their paychecks today, rather than waiting until July. The only thing being changed is the withholding in one's paycheck each week. No change would be made in the tax rates or any other part of the Economic Recovery Tax Act.

I know that some of my colleagues are supporting plans to move the tax rate reduction itself up to January. But this would have the effect of enlarging the tax cut, and therefore the deficit, whereas my plan accomplishes much the same result at essentially no cost.

Keep in mind that workers could accomplish this same result on their own by increasing the number of deductions on their W-2 forms now and then reducing them in July proportionately. And certainly any taxpayer who is self-employed and making estimated tax payments quarterly has already made such an adjustment. This

only reinforces the need to reduce withholding now so that all workers can benefit.

In conclusion, it makes obvious economic sense to put some tax cut dollars into people's pockets now. The economy is sluggish, sales are slow, unemployment is high and production is at almost a standstill in some industries. Reducing withholding taxes now will increase purchasing power when the economy needs it. Increasing demand for homes, autos, and other goods may put some people back to work now and set the stage for recovery, which most economists expect shortly in any case. Under the circumstances, I can see no reason not to enact this legislation as soon as possible. I trust and ask that the committee chairman to which this is referred will give it his prompt attention.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) clause (i) of section 3402(a)(3)(B) of the Internal Revenue Code of 1954 (relating to changes made by section 101 of the Economic Recovery Tax Act of 1981) is amended—

(1) by striking out "July 1" and inserting in lieu thereof "January 1"; and

(2) by striking out "10-percent" and inserting in lieu thereof "5-percent".

(b) In prescribing tables and procedures under section 3402(a)(1) of the Internal Revenue Code of 1954 to reflect the amendments made by subsection (a), the Secretary of the Treasury shall—

(1) make such tables and procedures effective as soon as practicable after the date of the enactment of this Act; and

(2) reflect in such tables and procedures the full calendar year effect for 1982 which would have occurred if such amendments had been in effect on January 1, 1982.

By Mr. TSONGAS (for himself, Mr. CHILES, and Mr. LEVIN):

S. 2056. A bill to amend the Fair Labor Standards Act of 1938 to provide that blind persons may not be employed at less than the applicable minimum wage under that act; to the Committee on Labor and Human Resources.

FAIR WAGES FOR BLIND WORKERS

● Mr. TSONGAS. Mr. President, today I am joining with Senators LEVIN and CHILES to introduce legislation that would bar substandard wages for blind workers. It would amend the Fair Labor Standards Act of 1938 to provide that blind persons may not be employed at less than the applicable minimum wage.

Currently the law allows blind workers to be paid at a rate that can be as low as 25 percent of the Federal minimum wage. In sheltered workshops, which employ one out of every seven blind workers, a subminimum wage is the norm. Half of these workers are paid less than \$1,500 a year.

A few sheltered workshops across the country have shown that fair pay is practical. There are 20 workshops, with more than 5,000 sightless employees, that pay the minimum wage. They produce a variety of products for healthy profits, and they do it without taking economic advantage of the workers.

By contrast, the others use the law to make enormous profits. They are practicing economic discrimination against their blind employees.

Some people are concerned that closing this loophole would adversely affect other benefits—supplemental security income and social security disability insurance. This is unfounded. A blind person can earn above the minimum wage before SSI benefits are reduced.

Although the SSDI rules are not as flexible, a blind worker can earn \$5,500 before those benefits are affected. This is much higher than the average subminimum salary under the present law.

Current law is unjust and patronizing the blind workers. It is an affront to the thousands of sightless workers who overcome major barriers to gainful employment. Often they are placed in positions beneath their skills, with little if any hope for advancement.

Mr. President, our blind citizens have many skills to contribute to America's economic strength. They have every right to demand fair compensation for productive efforts . . . every right except the legal right. This legislation, which is strongly supported by the National Federation of the Blind, will finally give these workers the right to a decent wage. I urge my colleagues to join in ending this chronic injustice.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) is amended (1) by striking out "(2) and (3)" in paragraph (1) and inserting in lieu thereof "(2), (3), and (4) and (2) by adding after paragraph (3) the following:

"(4) No order, regulation, or certificate may be issued by the Secretary under paragraph (1), (2), or (3) of this subsection with respect to the employment of individuals who are blind or whose sight is impaired."

By Mr. KASTEN:

S. 2057. A bill to amend title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

TRUCKING RECIPROCITY LEGISLATION

● Mr. KASTEN. Mr. President, today I am introducing legislation which would address a grave injustice to American trucking firms. My bill

would require the Interstate Commerce Commission to consider reciprocity before issuing new licenses to foreign motor carriers seeking new routes in the United States.

The issue is quite simple. Our neighbor to the south, Mexico, prohibits U.S. carriers from conducting business within its borders except on a very limited and arbitrary basis.

The Canadian provinces, as well, control access and operate under restrictive guidelines similar to those in effect in the United States prior to 1980. When the United States adopted more open entry policies 18 months ago in the Motor Carrier Act of 1980 (Public Law 96-296), an unintended competitive disadvantage was created for U.S. motor carriers.

Foreign firms can now gain new routes and new business by penetrating previously protected U.S. markets. But our trucking companies cannot gain the same kind of access to Canadian and Mexican markets because of difficult or discriminatory laws in those countries.

In the past 18 months, hundreds of foreign applications to transport freight across borders and into the States have been received by the ICC. And most have been approved.

Almost 94 percent of the 439 applications by Canadian firms which have been decided by the ICC during the past 18 months have been approved in full or in part. Before 1980, Canadian firms submitted on average only 30 applications a year. The Mexican situation is not nearly as serious, but the potential is there should Mexican firms start making applications.

No wonder American truckers, particularly from States bordering Mexico and Canada, are concerned.

On November 22, 1981, the Honorable Bill Brock, U.S. Special Trade Representative, wrote to the Honorable Reese H. Taylor, Jr., Chairman of the Interstate Commerce Commission, expressing his concerns about this problem, stating:

I understand that the Motor Carrier Act of 1980 does not expressly require reciprocity as a condition to licensing foreign motor carriers.

However, I believe that it is appropriate for the commission to consider the effect that proposed certification will have on existing U.S. motor carriers.

If the pending applications are approved, Canadian motor carriers would be able to offer singleline service to destinations in Canada while U.S. operators could not offer competitive service since they are unable to obtain reciprocal authority to operate in Canada. The result will likely be loss of traffic and revenue by U.S. motor carriers.

Well, Bill Brock's suggestion has made no impact. The ICC simply goes forward granting licenses without regard to nationality.

I ask unanimous consent that a newspaper clipping entitled "Two Canadian Carriers Win U.S. Truck

Rights" be inserted in the RECORD immediately following my remarks. This article clearly illustrates that American truckers have protested these decisions to no avail. The review board of the Commission stands by the statement that "it is the Commission's policy not to permit discrimination or favoritism on the basis of a carrier's nationality."

Mr. President, I find that policy unacceptable, especially at a time when unemployment is high in the United States. My bill does not seek to cut off competition. It seeks to encourage competition. But it recognizes that competition is a two-way street.

A constituent from Wisconsin, Mr. Ralph A. Pipp, president of Express Freight Lines, expressed it well in a recent letter. He wrote:

I feel strongly that legislation should be supported which would prevent foreign carriers from obtaining authority from the ICC under the relaxed rules of the Motor Carrier Act of 1980, unless the foreign country would allow American carriers to compete on the same level within their jurisdictions.

I feel the legislation is important to let the ICC know that the intent of Congress is not to promote unfair competition for the domestic companies.

I ask unanimous consent that the full text of Mr. Pipp's letter be printed in the RECORD following my remarks.

Just this week Bill Brock, in a speech before the European Management Forum in Switzerland, said:

I understand the concern expressed about the current discussion of reciprocity in the United States. I am confident that, under this President, reciprocity will not become a code word for protectionism, but it will be used to state clearly our insistence on equity.

Neither Congress nor the President can continue to tolerate unfair trading practices which adversely affect either our domestic market or our opportunity to trade elsewhere.

Mr. President, those words apply directly to this situation. We simply demand reciprocity for our companies when we permit foreign companies to come into our States.

The legislation I am introducing today will direct the ICC to stop issuing licenses to Mexican and Canadian firms until a process can be worked out so we have equal access. This is a case of equity, and it is clear that only Congress can restore equity to the ICC licensing process.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD following my remarks.

There being no objection, the bill, article, and letter were ordered to be printed in the RECORD, as follows:

S. 2057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10922(b) of title 49, United States Code, is amended as follows:

(1) by redesignating paragraphs (4), (5), (6), (7), (8), and (9), and any references

thereto, as paragraphs (5), (6), (7), (8), (9), and (10), respectively; and

(2) by inserting after paragraph (3) the following new paragraph:

"(4)(A) The Commission shall issue a certificate to a person authorizing that person to provide transportation in foreign commerce as a motor common carrier of property in single-line service between points in the United States and points in Canada or Mexico if the Commission finds—

"(i) that the person is fit, willing, and able to provide the transportation to be authorized by the certificate and to comply with this subtitle and regulations of the Commission; and

"(ii) the transportation to be authorized is or will be required by the present or future public convenience and necessity after considering (I) the adequacy of available service, (II) the degree of existing competition, (III) the ability and willingness of carriers to provide service to meet the reasonable needs of shippers, (IV) the effect upon existing carriers of granting a new certificate, and (V) the impact on the energy efficiency of existing carriers.

"(B) In any opposed case the Commission shall hold an oral hearing.

"(C) Notwithstanding the provisions of this section, including the provisions of paragraph (5), the Commission shall not issue any certificate authorizing transportation of freight in interstate or foreign commerce to any person domiciled in Canada or Mexico, or owned or controlled by a person or persons domiciled in those countries, whose appropriate governmental body does not permit carriers domiciled in the United States to transport freight within the territory of Canada or Mexico on substantially the same licensing standards as apply to the transportation of freight by its own nationals. Within 90 days after enactment of this paragraph, the Commission shall institute a rulemaking proceeding in order to determine which Canadian and Mexican governmental bodies do not permit United States carriers to transport freight within such territory of Canada or Mexico on substantially the same licensing standards as apply to the transportation of freight by their own nationals."

SEC. 2. Section 10922(h)(2) of title 49, United States Code, is amended by inserting immediately before the period at the end thereof a comma and the following: "and (C) apply the provisions of section 10922(b)(4), where the applicant is a person domiciled in Canada or Mexico or owned or controlled by a person or persons domiciled in those countries."

SEC. 3. Section 10923(b) of title 49, United States Code, is amended by inserting after paragraph (7) the following new paragraph:

"(8) Notwithstanding the provisions of this section, the Commission shall not issue any permit authorizing transportation of freight in interstate or foreign commerce to any person domiciled in Canada or Mexico, or owned or controlled by a person or persons domiciled in those countries, whose appropriate governmental body does not permit carriers domiciled in the United States to transport freight within the territory of Canada or Mexico on substantially the same licensing standards as apply to the transportation of freight by its own nationals. Within 90 days after enactment of this paragraph, the Commission shall institute a rulemaking proceeding in order to determine which Canadian and Mexican governmental bodies do not permit United States carriers to transport freight within such ter-

ritory of Canada or Mexico or substantially the same licensing standards as apply to the transportation of freight by their own nationals."

TWO CANADIAN CARRIERS WIN U.S. TRUCK RIGHTS

Review Board No. 2 of the Commission has granted applications by two trucking companies based in Canada for extensive U.S. operating authority.

In a decision served January 19, the board granted D.M.R. Transport (1975), Ltd., authority to haul general commodities, except classes A and B explosives, between border points in Washington, Idaho, Montana, North Dakota, and Minnesota, on the one hand, and points in 27 states on the other. D.M.R. is based in Grinrod, B.C.

The board, in a decision served January 22, granted Provost Cartage authority to transport commodities in bulk between all border points and all points in the U.S., except Alaska and Hawaii. Provost is domiciled in Ville d'Anjou, Que.

U.S. carriers protesting the applications, in addition to the standard complaint about possible traffic diversion, said the Canadian applicants should not be granted U.S. authority because U.S. carriers have difficulty in winning Canadian authority from provincial governments. But the board dismissed the argument, stating that it is the Commission's policy not to permit discrimination or favoritism on the basis of a carrier's nationality.

The board's decisions were issued in MC-143415, Sub. 4, D.M.R. Transport (1975), Ltd., Extension—General Commodities, and MC-123233, Sub. 96, Provost Cartage, Inc., Extension—Canadian Bulk Traffic.

EXPRESS FREIGHT LINES, INC.,
Milwaukee, Wis., January 21, 1982.

Hon. ROBERT W. KASTEN, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KASTEN: Express Freight Lines is a trucking company headquartered in Milwaukee, Wisconsin. At the present time we have approximately 175 employees in the State of Wisconsin. We are a regular route common carrier serving the upper middle west, but primarily a corridor between the southeastern Wisconsin area and Detroit, along with the Canadian gateway. Last year we did approximately \$16,000,000 in business.

The Canadian market has been historically and is an extremely important segment of our business. A very serious issue has come up within the trucking industry concerning the issuance of authority by the Interstate Commerce Commission to foreign motor carriers. It is an extremely serious problem and one that concerns us. The prospect of the ICC licensing Canadian carriers to do business in the United States would seriously affect our business.

It would put us into a position of having our Canadian interlines compete directly with us domestically, and we would be restricted from competing with them in the Canadian marketplace. It would give these foreign motor carriers an unfair advantage.

At the present time, we have excellent relations with approximately ten to twelve Canadian carriers and cooperate with them in moving freight between the eastern Canadian markets and the upper middle west.

It's an arrangement that has benefited the shippers and consignees in both these market areas with excellent service and competitive rates. Over the years, the Cana-

dians have extracted a few concessions from the United States already.

For instance, the Canadian carriers are able to deliver within the commercial zone of U.S. cities. This allows a Canadian carrier to make deliveries in the commercial zone of Buffalo or Detroit, amongst other cities. The U.S. carriers are restricted from making deliveries in Canadian commercial zones such as Windsor or Niagara Falls across from Buffalo.

This may seem extremely minor, but it, in fact, is a concession by the U.S. government to the Canadians whereby foreign motor carriers can derive revenue by performing a service within the United States, whereas we are not allowed to do the same with them.

I feel strongly that legislation should be supported which would prevent foreign carriers from obtaining authority from the ICC under the relaxed rules of the Motor Carrier Act of 1980, unless the foreign country would allow American carriers to compete on the same level within their jurisdictions.

I feel the legislation is important to let the ICC know that the intent of Congress is not to promote unfair competition for domestic companies.

Sincerely yours,

RALPH A. PIPP,
President. ●

By Mr. ROTH (for himself, Mr. CHAFEE, and Mr. ROTH):

S. 2058. A bill to promote foreign trade in services, and for other purposes; to the Committee on Finance.

TRADE IN SERVICES ACT OF 1982

● Mr. ROTH. Mr. President, today I join my colleagues, Senator CHAFEE and Senator INOUE, in introducing the Trade in Services Act of 1982. This bill is a bipartisan effort to improve the treatment accorded services in our international trading efforts and to move services issues to center stage in global trade discussions.

The services sector is a large and growing segment of the U.S. economy, and its positive contribution to our trade balance continues to increase. These so-called invisibles—engineering and construction, shipping, insurance, banking, transportation, accounting, communications, and tourist services, just to name a few—generate over half the Nation's gross domestic product and provide jobs for over 54 million Americans. The Commerce Department estimates that U.S. international service activities rose from \$92 billion in 1977 to over \$128 billion in 1980; and the export component alone in services earned the United States a surplus that year of \$35 billion. These export earnings were more than enough to outweigh the \$30 billion deficit we suffered in goods.

Services have enabled us to keep a foothold on the positive side of the international trade ledger.

Our recent strong performance in services trade is no cause for complacency, however. While exports continue to grow absolutely, the U.S. share of world invisibles trade has fallen from 25 percent in 1969 to 20 percent

in 1976. Moreover, this general trend is repeated in specific sectors.

For example, while assets of foreign branches of U.S. banks doubled from \$145 billion in 1975 to \$290 billion in 1979, the global market share of U.S. banks declined. In construction and engineering, U.S. firms went from being top world suppliers in 1976 to holding seventh place only 3 years later.

This pattern is repeated in insurance, transportation and throughout the services sector because other countries, attempting to build or protect fledgling services industries, have begun to devise methods to stem foreign services supplies. These rising overseas trade barriers could send our now internationally strong services industries down the path already trodden by U.S. merchandise producers. Once the world's predominant merchandise supplier, we have seen our market share whittled away by foreign import barriers and unfair export practices.

We must avoid making the same mistake in services.

The rising barriers to services trade affect every sector. In the accounting area, for example, provisions regarding confidentiality in the European Community's eighth directive on auditors' qualifications could be used to bar U.S. firms from participation in EC markets. In the information transfer business, restrictions on the use of foreign data-processing facilities bar U.S. computer software firms from selling their services in countries like West Germany. Foreign countries' subsidization of construction operations has enabled overseas firms to capture third country markets from traditional U.S. suppliers. U.S. motor carriers cannot provide trucking services in Canada or Mexico because of restrictive regulations there. Moreover, our insurance firms encounter nearly impenetrable barriers in many developing countries that seek to retain control for domestic monopolies or national insurance companies.

At the same time, U.S. service markets remain relatively open to foreign suppliers. With the enactment of the Motor Carrier Act of 1980, for example, foreign truckers have easy access to the U.S. market. Canadian suppliers alone have received 260 licenses in the past year to provide interstate services. Foreign insurers, too, find fewer difficulties penetrating the lucrative U.S. market.

Despite their importance to our domestic and global trade accounts, despite the rising barriers to trade overseas, services have often been treated as an afterthought in U.S. and international trade law. The Trade Act of 1974 was the first attempt to raise the issue of services trade in international consciousness. Notwithstanding that

act's charge that the President negotiate barriers to both goods and services, however, little was accomplished in the latter during the 1975-79 Tokyo Round of Multilateral Trade Negotiations.

Distortions in services trade continue to increase unchecked by international agreement.

It is time to reverse that trend. It is clear we must begin to work now if we are to guarantee a continuing predominant role for U.S. service industries in the world economy. We must lay the groundwork now for international discipline in the treatment of services trade.

The Trade in Services Act of 1982 represents an important step in the direction of insuring open markets for services trade. The bill charges the President with placing a high priority on, and developing a work program for, negotiations to reduce services trade barriers. Section 3 of the Trade in Services Act builds upon the existing provisions of section 102 of the Trade Act of 1974 by providing a clear congressional directive to place services issues on the front burner.

In addition, the legislation would clarify and expand the coverage of U.S. trade law to deal more effectively with trade in services problems. In the past, arguments have been made that establishment-related issues involve investment, not trade and are therefore not covered by the 1974 Trade Act's negotiating and retaliatory authority. Sections 3 and 4 of this bill would resolve any potential problem or confusion by expressly including "barriers to the establishment and operation of U.S. businesses in foreign markets" within the Trade Act's meaning of "barriers to trade."

In addition, section 4 amends section 301 of the Trade Act, which deals with foreign unfair trade practices, to include Presidential authority to restrict the activities of foreign suppliers in the U.S. market. To date, there has been disagreement over whether the administration had the authority to impose "fees or other restrictions" on a services supplier, as well as on the service itself. Section 4 clearly extends this authority.

The bill would also improve the coordination in the services trade policy-making process and Federal/State communication in trade regulation. As chairman of the Governmental Affairs Committee, I strongly believe State and local governments should continue to exercise their traditional regulatory authority over a variety of services, such as banking, insurance and accounting. Therefore, section 3 of the Trade in Services Act provides that, before entering into any negotiations in a service sector over which the States have regulatory responsibility, the U.S. Trade Representative must consult with representatives of the

States concerning negotiating objectives and methods of implementing any agreements reached. In addition, the legislation calls for coordination with private sector advisory groups specializing in services trade matters.

The Trade in Services Act would establish a service sector development program, providing for much-needed collection and analysis of domestic and international services information. The United States is head-and-shoulders above its trading partners in its appreciation of the role of services in the international economy, but more work remains to be done to understand, quantify and take into account services' full impact on trade and national accounts.

Last, the legislation insures that, in considering any rule, restriction or regulation on the treatment of a foreign service or services supplier, our regulatory agencies will weigh the treatment accorded U.S. services in the relevant foreign country.

I believe it is time we take a closer look at the experience of U.S. firms overseas before determining how best to treat foreign services suppliers. While free trade should be the order of the day, the United States cannot be expected to continue to carry that standard alone. Instead, it is time we look at whether we are receiving reciprocal treatment for U.S. services overseas.

Fairness by the United States in the treatment of foreign suppliers in our market should be mirrored by fair treatment of U.S. interests in foreign countries. Thus, section 6 encourages agencies that regulate service sector industries to pay greater attention to U.S. industry complaints that, while foreign suppliers are accorded relatively free access to the U.S. market, U.S. companies face serious barriers in overseas markets.

I believe this legislation is crucial in our efforts to expand our export performance in the services sector. It is time we stop treating services as an afterthought and begin to consider what international rules would best promote free trade in the ever-growing service sector.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Trade in Services Act of 1982."

SEC. 2. FINDINGS; PURPOSE.

(a) *Findings.*—The Congress finds that—
(1) the United States economy is predominantly a service economy as approximately 70 percent of the United States labor force is employed in producing services and ap-

proximately 67 percent of the gross national product is generated by services;

(2) many service industries require highly skilled and trained workers and employ advanced technology which enhances the international competitiveness of the United States economy;

(3) productivity in the service sector increased by 20 percent from 1967 to 1979 and as such increase is far more than the productivity gains registered in the goods producing sector, such increase helped restrain inflation;

(4) in 1980, according to official United States balance of payments statistics, the United States earned a surplus of more than \$36,000,000,000 in the services account in contrast to the merchandise trade deficit of \$25,000,000,000 (c.i.f.);

(5) the United States is the world's largest trader of international services, accounting for approximately 20 percent of such international trade in 1980, but this share represents a decline from recent years;

(6) barriers to, and other distortions of, international trade in services, including barriers to the establishment and operation of United States companies in foreign markets, have had a serious and negative impact on the growth of United States service sector exports;

(7) such barriers are likely to increase unless the United States and its trading partners take prompt action to negotiate their reduction or elimination and to develop effective international rules governing trade in services; and

(8) trade in services is an important issue for international negotiations and deserves priority in the attention of governments, international agencies, negotiators, and the private sector.

(b) *PURPOSES.*—The purposes of this Act are—

(1) to encourage the expansion of international trade in services through the negotiation of agreements, both bilateral and multilateral, that reduce or eliminate barriers to, and other distortions of, international trade in services (including barriers to the right of establishment and operation of service enterprises in foreign markets) and that strengthen the international rules governing trade in services;

(2) to fully integrate service sector trade issues into overall United States economic and trade policy;

(3) to provide for effective coordination of services sector trade policy within the Federal Government;

(4) to encourage consultation and cooperation among United States Government agencies, between the United States and State and local governments, and between the United States Government and the private sector;

(5) to provide for consideration of the access accorded to United States service sector industries in foreign markets in fashioning United States policies affecting access to the United States market of foreign funds and suppliers of services; and

(6) to clarify the application of provisions of United States trade laws to trade in services.

SEC. 3. NEGOTIATION OF INTERNATIONAL AGREEMENTS CONCERNING TRADE IN SERVICES.

(a) *NEGOTIATING OBJECTIVES.*—Chapter 1 of title 1 of the Trade Act of 1974 is amended by inserting immediately after section 104 the following new section:

"SEC. 104A. NEGOTIATING OBJECTIVES WITH RESPECT TO TRADE IN SERVICES.

"(a) Principal United States negotiating objectives under sections 101 and 102 shall be to—

"(1) reduce or eliminate barriers to United States service sector trade in foreign markets, including the right of establishment and operation in such markets;

"(2) modify or eliminate practices which distort international trade in services; and

"(3) develop internationally agreed rules, including dispute settlement procedures, which are consistent with the commercial policies of the United States and which will help ensure open international trade in services.

"(b) As a means of achieving the negotiating objectives set forth in subsection (a), the United States Trade Representative shall—

"(1) in any negotiation under section 101 or 102 concerning barriers to, or other distortions of, international trade in services, pay particular attention to the interests that the States may have in such a negotiation and consult regularly with representatives of State governments concerning negotiating developments;

"(2) not enter into any negotiation involving a service sector over which the States have regulatory responsibility unless he has developed negotiating objectives for such negotiation in consultation with representatives of State governments; and

"(3) with respect to the service sector advisory committees established under subsections (b) and (c) of section 135—

"(A) inform such committees of prospective trade negotiations under section 101 or 102,

"(B) consult with such committees and develop negotiating objectives prior to entering into such negotiations, and

"(C) during the course of any such negotiations, consult with the committees concerning negotiating developments.

"(c) In carrying out its duties under this section, the United States Trade Representative shall consult with the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and other interested committees of the Congress concerning—

"(1) efforts to promote international negotiations on trade in services, and

"(2) the strategies and specific negotiating objectives of the United States in such negotiations, developments in the course of such negotiations, and the manner in which any agreements concluded are to be implemented.

"(d) For purposes of this section—

"(1) the term 'services' has the meaning given such term by section 301 (d)(3), and

"(2) the term 'barriers to, or other distortions of, international trade in services' includes, but is not limited to—

"(A) barriers to the right of establishment in foreign markets, and

"(B) restrictions on the operation of enterprises in foreign markets, including—

"(i) direct or indirect restrictions on the transfer of information into, or out of, the country or instrumentality concerned, and

"(ii) restrictions on the use of data processing facilities within or outside of such country or instrumentality."

(b) **REPORT TO CONGRESS.**—Not later than 45 days after the date of the enactment of this Act, the United States Trade Representative shall present to the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and other interested committees of the Congress—

(1) a proposed work program concerning international negotiations on services for the following twelve-month period; and

(2) a detailed analysis of the negotiating interests of the United States in specific service sectors.

(c) **CONFORMING AMENDMENT.**—The table of sections for chapter 1 of title 1 of the Trade Act of 1974 is amended by inserting after the item relating to section 104 the following new item:

"Sec. 104A. Negotiating objectives with respect to trade in services."

SEC. 4. REMOVAL OF UNFAIR TRADE PRACTICES IN SERVICE SECTOR TRADE.

(a) **DEFINITION OF SERVICES.**—Section 301 (d) of the Trade Act of 1974 is amended by adding at the end thereof the following new paragraph:

"(3) **SERVICES DEFINED.**—The term 'services' means economic outputs which are not tangible goods or structures, including, but not limited to—

"(A) transportation, communications, retail and wholesale trade, advertising, construction, design and engineering, utilities, finance, insurance, real estate, professional services, entertainment, and tourism, and

"(B) overseas investments which are necessary for the export and sale of the services described in subparagraph (A)."

(b) **SUPPLIERS OF SERVICES TO BE INCLUDED.**—

(1) **IN GENERAL.**—Subsections (a) and (b) of section 301 of the Trade Act of 1974 (19 U.S.C. 2411) are each amended by inserting "(or suppliers thereof)" after "services".

(2) **CONSULTATIONS WITH APPROPRIATE AGENCIES, ETC.**—Subsection (d) of section 301 of the Trade Act of 1974, as amended by subsection (a), is amended by adding at the end thereof the following new paragraph:

"(4) **SPECIAL RULES FOR SUPPLIERS OF SERVICES.**—

"(A) **SUPPLIER OF SERVICE DEFINED.**—For purposes of this section, the term 'supplier of services' includes any person who provides services and—

"(i) whose principal place of business is in a foreign country, or

"(ii) who is owned by a foreign person.

"(B) **CONSULTATION WITH APPROPRIATE AGENCIES.**—Before the President takes action under this section to impose fees or other restrictions on services (or suppliers thereof), the United States Trade Representative shall, if such services are subject to regulation by any other Federal agency or by any State, consult with the appropriate Federal or State official with respect to such action."

SEC. 5. INTERAGENCY COORDINATION OF SERVICE SECTOR TRADE POLICY.

(a) **COORDINATION OF UNITED STATES POLICIES.**—The United States Trade Representative, through the Trade Policy Committee and its subcommittees, shall develop, and coordinate the implementation of, United States policies concerning trade in services.

(b) **FEDERAL AGENCIES.**—In order to encourage effective development and coordination of United States policy on trade in services, each Federal agency responsible for the regulation of any service sector industry shall advise the United States Trade Representative of pending matters with respect to which—

(1) the treatment afforded United States service sector interests in foreign markets, or

(2) allegations of unfair practices by foreign governments or companies in a service sector,

have been raised, and shall consult with the United States Trade Representative prior to the disposition of such matters.

(c) **SERVICES INDUSTRY DEVELOPMENT PROGRAM.**—The Secretary of Commerce is authorized to establish in the Department of Commerce a service industries development program in order to—

(1) promote the competitiveness of United States service firms and American employees through appropriate economic policies;

(2) promote actively the use and sale of United States services abroad and develop trade opportunities for United States service firms;

(3) develop a data base for policymaking pertaining to services;

(4) collect and analyze information pertaining to the international operations and competitiveness of the United States service industries;

(5) analyze—

(A) United States regulation of service industries;

(B) tax treatment of services, with particular emphasis on the effect of United States taxation on the international competitiveness of United States firms and exports;

(C) antitrust policies as they affect the competitiveness of United States firms;

(D) treatment of services in commercial and noncommercial agreements of the United States; and

(E) adequacy of current United States financing and export promotion programs;

(6) provide staff support for negotiations on service-related issues by the United States Trade Representative and the domestic implementation of service-related agreements;

(7) collect such statistical information on the domestic service sector as may be necessary for the development of governmental policies toward the service sector;

(8) conduct sectoral studies of domestic service industries;

(9) collect comparative international information on service industries and policies of foreign governments toward services;

(10) develop policies to strengthen the competitiveness of domestic service industries relative to foreign firms;

(11) conduct a program of research and analysis of service-related issues and problems, including forecasts and industrial strategies; and

(12) provide statistical, analytical, and policy information to State and local governments and service industries.

(d) **INFORMATION TO STATES.**—Except as otherwise provided by law, the United States Trade Representative and the Secretary of Commerce shall provide to State governments such advice, assistance, and information concerning United States policies on international trade in services as such governments might request.

SEC. 6. CONSIDERATION BY UNITED STATES REGULATORY AUTHORITIES OF MARKET ACCESS ACCORDED BY FOREIGN COUNTRIES TO UNITED STATES SERVICE SECTOR INDUSTRIES.

(a) **SENSE OF CONGRESS.**—It is the sense of the Congress that regulatory authorities in the United States with responsibility for regulation of a service sector should, in developing their policies concerning the access of foreign suppliers to the United States market, take into account the extent to which United States suppliers are accorded access to foreign markets in such service sector.

(b) **FEDERAL AGENCIES.**—To the extent not otherwise required by law or regulation, whenever any agency of the Federal Government which has responsibility for regulation of a service sector is considering any rule, regulation, or decision which may affect the access of any foreign supplier or suppliers to the United States market, such agency shall—

(1) take into account information presented to it by any interested party concerning the market access in such service sector accorded to United States suppliers in the home market or markets of the foreign supplier or suppliers which may be so affected; and

(2) in taking any action with regard to such rule, regulation, or decision, indicate the extent to which the action taken promotes fairness in international trade within the particular service sector involved.

(c) **ACTION BY FEDERAL AGENCIES.**—Agencies of the Federal Government with responsibility for service sector regulation may, in consultation with the United States Trade Representative as provided in section 5 of this Act, impose such restrictions on the access of any foreign supplier to the United States market for such service sector as may be appropriate to promote fairness in international service sector trade.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the activities authorized by this Act.●

● **Mr. CHAFEE.** Mr. President, Senator ROTH, Senator INOUYE, and I are introducing today legislation entitled "The Trade in Services Act of 1982."

The legislation has four major purposes. The first is to emphasize the importance of our service industries to our economy. The service sector now employs more than 70 percent of all Americans and contributes two-thirds of our gross national products. The service sector is growing twice as fast as the manufacturing sector and experienced a 20-percent increase in productivity from 1967 to 1979. In way of contrast, the manufacturing sector had a growth rate of only 10 percent during the same period.

The growth of service industries has improved our balance of trade picture. Currently, the United States has a 20-percent share of the total world trade in services. In 1980 this significant progress in trade in services resulted in the first overall surplus in the U.S. balance of payments since 1976.

The second purpose of the bill is to direct the administration to raise the issue of an international services code at the 1982 GATT ministerial meeting and to insure that the negotiation of such an agreement is given a high priority in U.S. trade policy. One of the major problems with the international trading system is that there are no specific multilateral rules or means to deal with trade problems in services. We need to develop an international framework to deal with trade in services just as we have for trade in goods.

The first step toward achieving that goal is to get a commitment from members of the GATT to deal with

the issue of services. The bill we are introducing today makes the negotiation of an international agreement on services a priority under section 102 of the Trade Act of 1974. The bill also recognizes the importance of raising the issue of services at the GATT ministerial meeting and directs the U.S. Trade Representative (USTR) to present to Congress, within 45 days after enactment, a work plan for the negotiation of such an international agreement.

The third purpose of the bill is to provide for effective coordination and implementation of U.S. trade policy with regard to services. The bill directs the USTR to coordinate the development of services trade policy and requires that he consult with Federal regulatory agencies and the States in those areas of the services sector that are subject to Federal and/or State regulation, such as insurance and banking.

The bill provides that, prior to the negotiation of any agreement on services, the USTR must develop negotiating objectives in consultation with the private sector service industry advisory groups and the States. The bill also authorizes the Department of Commerce to establish a services industries program to develop information on the flow of trade in services, analyze the impact of U.S. laws pertaining to services, and provide information to the States on U.S. policy on international trade in services.

The fourth and perhaps most important purpose of this legislation is to insure that U.S. service industries continue to have free access to foreign markets. To accomplish this objective, the bill clarifies and emphasizes the President's authority to take action against unfair practices either at home or abroad which affect U.S. service industries. The bill allows Federal regulatory agencies with authority over service industries to take into account the extent to which U.S. service industries are accorded access to foreign markets. These regulatory agencies must act in consultation with the USTR.

This bill represents an important change in the approach to dealing with trade problems. In the past we have generally reacted to trade problems only after they arise, when trade barriers have been erected and our market shares have diminished. We should learn from the past and not repeat this mistake in the area of trade in services. We should act to create an international framework to deal with trade in services problems while we still have a trade surplus in that area instead of waiting until we have a deficit. We should take steps now to insure that the rapidly expanding world trade in services remains free and open. I believe that this bill is

an important step in that direction, and I urge my colleagues to support it.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF TRADE IN SERVICES ACT OF 1982

SEC. 2 (a) FINDINGS

This section recognizes the importance of the service sector as the largest sector of the U.S. economy, generating over half of our GNP, employing over 54 million Americans, generating \$60 billion in revenues in 1980, accounting for 20 percent of the worldwide trade in services and helping to offset the serious deficits in the U.S. merchandise trade balance. This section also points out that the U.S. share of the world services market is declining due to trade barriers and that such barriers are likely to increase unless the U.S. takes prompt action to negotiate an international agreement to establish international rules to govern trade in services. The findings also point to the inadequacy of the existing legal framework governing trade in services.

SEC. 2 (b) PURPOSES

The Act is intended to (1) encourage the expansion of international trade in services through the negotiation of bilateral and multilateral agreements that reduce or eliminate barriers to trade in services, (2) to integrate service sector trade issues more fully into U.S. economic and trade policy, (3) to provide for effective coordination of U.S. service sector trade policy including consultation and cooperation between Federal, state, and local agencies and the private sector, (4) to provide for consideration of reciprocal market funds and suppliers to the U.S. market, and (5) the clarification of U.S. trade laws applicable to trade in services.

SEC. 3 NEGOTIATION OF INTERNATIONAL AGREEMENTS

Section 3 states that a principal negotiating objective under section 102 of the Trade Act of 1974 is the development of agreements under the GATT which reduce or eliminate barriers to trade in services and establish international rules to ensure open international trade in services. Section 3 also requires that the USTR take into account the interests of the States in any negotiation of an agreement pertaining to services and that the USTR shall not enter into the negotiation of an agreement involving a service sector regulated by the States until it has developed negotiating objectives with the States. The USTR must also consult with the private sector advisory groups established under section 135(b) and 135(c) of the Trade Act of 1974 prior to entering into any negotiations on international agreements affecting the service sector. Additionally, section 3 instructs the USTR to consult regularly with the Finance Committee and the Ways and Means Committee on the progress of negotiations and that no later than 45 days after the bill is enacted the USTR must present to Congress a proposed work plan for the negotiation of an international agreement on services.

SEC. 4 UNFAIR TRADE PRACTICES IN SERVICE SECTOR TRADE

Section 4 amends section 301(b) of the Trade Act of 1974 by adding the phrase "or suppliers of services" after the word "services." Section 4 also requires that the serv-

ice sector involved in a section 301 case is subject to regulation by any federal or State agency, the President must consult with that agency prior to the imposition of any fees or restrictions on the foreign supplier of services. Finally, section 4 amends section 301 by providing that fees or restrictions may be imposed by executive order and it defines foreign suppliers.

Section 4 defines services as economic outputs which are not tangible goods and services including, but not limited to transportation, communication construction, and overseas investments which are necessary for the export and sale of such services. Section 4 also defines trade barriers as including barriers to the right of establishment in foreign markets and restrictions on the operation of U.S. firms in foreign markets including direct or indirect restraints on the transfer of information, or on the use of data processing facilities within or outside a foreign country.

SEC. 5 INTERAGENCY COORDINATION OF SERVICE SECTOR TRADE POLICY

Section 5 requires that the USTR develop and coordinate the implementation of U.S. policy concerning trade in services. Federal agencies responsible for the regulation of service sector industries are required to notify USTR with respect to pending matters which affect the treatment of U.S. service providers in foreign countries and in which allegations of unfair practices by foreign governments or service providers have been raised. The Secretary of Commerce is authorized to establish a service industries program to promote the competitiveness of the industry at home and abroad by developing a data base on domestic and international services, analyzing the impact of U.S. laws pertaining to services industries, providing staff support for negotiations of service-related agreements, and providing the State governments with information and advice pertaining to U.S. policy on international trade in services.

SEC. 6 REGULATORY AGENCY CONSIDERATION OF U.S. SERVICE INDUSTRIES TO FOREIGN MARKETS

Section 6 expresses that it is the sense of Congress that regulatory agencies with authority over service industries should, in consultation with USTR, take into account the extent to which U.S. suppliers are accorded access to foreign markets in the service sector involved in developing policies as to the access of foreign service suppliers to the U.S. market. Section 6 also provides that when any regulatory agency is making a decision affecting the access of a foreign supplier to the U.S. Market, any interested party may present information relevant to foreign or domestic market access in such service sector. The regulatory agency is required to indicate the degree to which the action taken based on such information promotes fair trade in that service sector. Finally, regulatory agencies must consult with USTR prior to making any decisions which restrict the access of foreign suppliers to the domestic market for the purpose of promoting fair trade.

SEC. 7 AUTHORIZATION OF APPROPRIATIONS

Section 7 authorizes such funds as are necessary to carry out the activities authorized in the Act.●

By Mr. COHEN (for himself and Mr. LEVIN):

S. 2059. A bill to change the coverage of officials and the standards for the appointment of a special prosecu-

tor in the special prosecutor provisions of the Ethics in Government Act of 1978, and for other purposes; to the Committee on Governmental Affairs.

ETHICS IN GOVERNMENT ACT AMENDMENTS OF 1982

● Mr. COHEN. Mr. President, on behalf of myself and Mr. LEVIN, I am introducing a bill, which would amend the special prosecutor provisions of the Ethics in Government Act of 1978, to better insure independent investigations of high-ranking Federal officials and to remove inequities in the present law.

The special prosecutor provisions were established in the wake of Watergate to assure the public that high-level executive officials will be investigated fully and fairly for crimes they may have committed, and that these investigations will be conducted free from political favoritism or bias. The act does this by requiring the Attorney General to conduct a preliminary investigation whenever he receives specific information that any official designated by the law has violated a Federal criminal law. At the close of this limited investigation, unless the Attorney General concludes that absolutely no further investigation or prosecution is warranted, a special prosecutor must be appointed to conduct an independent investigation of the charges, and, if necessary, to proceed with the prosecution of the official.

In the 3 years since their enactment, the special prosecutor provisions have been surrounded by controversy. Much of the debate stems from the nature of the cases in which a special prosecutor was appointed during President Carter's administration. Two high-ranking White House officials, Hamilton Jordan and Timothy Kraft, were investigated for alleged possession of cocaine. In each case, a special prosecutor was appointed to investigate the allegations, and in each case, after extensive media attention and legal costs to both the subject of the investigation and the Government, the special prosecutor concluded that there was no factual or legal basis for bringing criminal charges against the official. These cases sparked criticisms that certain aspects of the present law are unfair, unjustly burden public officials, and are costly to both the Government and the official involved.

In response to these criticisms, the Subcommittee on Oversight of Government Management began an extensive investigation of the special prosecutor law. Last year, the subcommittee held 2 days of oversight hearings and heard testimony from both strong supporters and critics of the special prosecutor process. The bill which I introduce today would implement recommendations which the subcommittee made as a result of its investigation and hearings.

This legislation retains the basic structure of the current law because the concept underlying the special prosecutor provisions remains valid. Unfortunately, dangers of conflict of interest were not unique to Watergate, but rather are inherent in our system of government. As a political appointee of the President, a close adviser to the President, and part of an administration which hopes to gain political success, the Attorney General may be placed in a difficult situation when investigating allegations against a senior executive official. Even when such an investigation is truly handled impartially, the public may doubt that it was if the official is cleared by the Department. In other cases, the Attorney General may "bend over backwards" and prosecute an official when prosecution is not warranted, in order to avoid the appearance of favoritism. When such conflicts of interest exist, or when the public perceives there to be a conflict, public confidence in the investigation of public officials is eroded, if not totally lost. By establishing a mechanism to insure impartial and thorough investigations of officials, the act guards against conflicts of interest and guarantees that public officials are not above the law.

While a special prosecutor process must be retained, I do not believe that the present law is perfect. To the contrary. The subcommittee's hearings and investigation revealed that the act has substantial weaknesses. Failure to remedy these demonstrated defects would be to ignore the benefit of experience we have had since the law was enacted. Even more seriously, failing to correct these problems may provide justification for those who would abandon the law completely.

The foremost problem of the law is that it has created unfairness. This problem stems in large part from the very low triggering standards for conducting a preliminary investigation and appointing a special prosecutor.

Under the act, the Attorney General must conduct a preliminary investigation whenever he receives specific information that a person covered by the act has violated any Federal criminal law, other than a petty offense. No allowance is made for the credibility of the accuser. Thus, the Attorney General is forced to investigate even those allegations which he knows to be frivolous, or made by persons known to lack credibility. Such automatic investigations do not serve a valid public purpose. Rather, they can only unfairly tarnish the reputation of our public officials and waste scarce public resources.

The very low standard for appointment of a special prosecutor also promotes unfairness. The Attorney General, having conducted a preliminary investigation, must apply to the court

for appointment of a special prosecutor unless he can state that the matter is "so unsubstantiated that no further investigation or prosecution is warranted." At the subcommittee's hearings, many experts on the law testified that this standard leaves little practical opportunity for an Attorney General to dismiss allegations which have little or no merit. For example, former Attorney General Benjamin Civiletti testified that in the Hamilton Jordan case, he was forced to seek appointment of a special prosecutor even though he had specifically concluded that a prosecution would not have resulted based on the facts he received during the preliminary investigation. Because, however, he was unable to conclude that no further investigation was warranted, a special prosecutor was appointed.

The present act also ignores the legitimate use of prosecutorial discretion which is given to prosecutors in both the Federal and State court systems. Over the years, the Department of Justice has developed guidelines to standardize its discretion and policies of law enforcement. By disregarding these standards, the special prosecutor law creates a different, stricter application of criminal law on public officials. Again, experience illustrates this problem: The offense alleged in both the Jordan and Kraft cases would not merit extensive investigation or prosecution under the ordinary standards of the Department of Justice in the present or past administrations.

Another serious problem of the present law is its coverage. Although the premise of the present law is that dangers of conflict of interest exist when the Attorney General investigates officials who are close to the President, the act covers over 125 executive and campaign officials, many of whom occupy middle-level positions and do not influence Presidential or Department of Justice decisionmaking. The act also can cover officials long after they leave office—in some cases up to 16 years—if the next President is of the same political party as the President under whom the official serves. Not only is this coverage excessively broad by continuing to cover officials after they have returned to private life, but it is also unequal by basing coverage on which political party wins the Presidential election. This political application of criminal law is unique in our criminal justice system.

Ironically, while the coverage of the act is overbroad in these respects, it is also underinclusive by failing to cover a class of persons who are close to Presidential influence and who may create actual or perceived conflicts of interest if investigated by the Attorney General: the President's family. The "Billygate Affair," in which President Carter's brother was investigated

for allegedly having an improper relationship with the Libyan Government, illustrates how the public and press can easily perceive a conflict of interest when the Department of Justice investigates allegations of wrongdoing by the President's family.

The amendments which I am introducing today would correct many of these problems. First, the bill would raise the standard which triggers a preliminary investigation so that the Attorney General could consider the credibility of the accuser and the specificity of the information received in determining whether a preliminary investigation is warranted. In this way, the Attorney General would better be able to perform his function of screening out frivolous allegations.

Second, the bill would raise the standard for appointment of a special prosecutor from the almost automatic standard of "so unsubstantiated that no further investigation or prosecution is warranted" to one requiring appointment when the Attorney General "finds reasonable ground to believe that further investigation or prosecution is warranted." In determining whether reasonable grounds exist, the bill directs the Attorney General to consider the factual conclusions of the preliminary investigation as well as the prosecutorial guidelines of the Department of Justice with respect to the enforcement of criminal laws. The present law's safeguards against abuse of authority by the Attorney General would be maintained, however, through the reporting and disclosure requirements of the act.

Third, the bill would amend the law so that coverage more closely reflects those instances in which the greatest dangers of conflict of interest exist. The bill would restrict coverage of officials to only those who occupy top-level executive positions close to either the President or the Attorney General. It would also limit the number of campaign officials covered by the act and would extend coverage to members of the President's family. Finally, the bill would limit and standardize the length of coverage of executive officials, so that all executive officials are covered for the incumbency of the President under which they serve, plus 1 year, regardless of which political party holds the Presidency.

Other changes would make the present law less burdensome to the subject of a special prosecutor investigation. The bill would change the name of the special prosecutor to "independent counsel" to remove the Watergate connotation from the investigation and would authorize the court to award attorney's fees to the subject of a special prosecutor investigation if those fees would not have been incurred by a private citizen in similar circumstances. Additional provisions

would check the potential for abuse of power by the special prosecutor.

Finally, the bill would extend the special prosecutor provisions, which would otherwise expire in October 1983, for 5 years after the date of the enactment of these provisions.

Mr. President, the special prosecutor provisions of the Ethics in Government Act were an important reform which must be maintained to insure independent, untainted investigations and prosecutions of criminal allegations against our public officials. However, reform does not in itself produce redemption. We must take advantage of the experience we now have to make the special prosecutor process fairer and reflect more accurately those situations in which conflicts of interest are likely to occur. Only in this way can we increase public confidence in the investigation of our Government officials, and, thus, in Government itself.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis of its provisions be inserted in the RECORD at this point.

There being no objection, the bill and analysis were ordered to be printed in the RECORD, as follows:

S. 2059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Ethics in Government Act Amendments of 1982".

SEC. 2. (a)(1) Chapter 39 of title 28 of the United States Code is amended by—

(A) striking out "special prosecutor" wherever it appears and inserting in lieu thereof "independent counsel"; and

(B) striking out "special prosecutors" wherever it appears and inserting in lieu thereof "independent counsels".

(2) The tables of chapters for title 28 of the United States Code and for part II of title 28 are amended by striking out the item relating to chapter 39 and inserting in lieu thereof the following new item:

"39. Independent Counsel."

(b)(1) Section 49 of title 28 of the United States Code is amended by—

(A) striking out "special prosecutor" wherever it appears and inserting in lieu thereof "independent counsel";

(B) striking out "special prosecutors" wherever it appears and inserting in lieu thereof "independent counsels"; and

(C) striking out "special prosecutor's" wherever it appears and inserting in lieu thereof "independent counsels".

(2) The item for section 49 in the table of sections for chapter 3 of title 28 of the United States Code is amended by striking out "special prosecutors" and inserting in lieu thereof "independent counsels".

(c) Title VI of the Ethics in Government Act of 1978 is amended—

(1) by striking out "SPECIAL PROSECUTOR" in the heading for section 601 and inserting in lieu thereof "INDEPENDENT COUNSEL";

(2) by striking out "special prosecutors" in subsection (c) of section 601 and inserting in lieu thereof "independent counsels"; and

(3) by striking out "SPECIAL PROSECUTORS" in the heading for section 602 and inserting in lieu thereof "INDEPENDENT COUNSELS".

Sec. 3. Paragraphs (3) through (6) of subsection (b) of section 591 of title 28 of the United States Code are amended to read as follows:

"(3) any individual working in the Executive Office of the President who is compensated at or above a rate equivalent to level II of the Executive Schedule under section 5315 of title 5;

"(4) any Assistant Attorney General and any individual working in the Department of Justice compensated at a rate at or above level III of the Executive Schedule under section 5314 of title 5;

"(5) the Director of Central Intelligence, the Deputy Director of Central Intelligence, and the Commissioner of Internal Revenue;

"(6) any individual who held any office or position described in any of paragraphs (1) through (5) of this subsection during the period consisting of the incumbency of the President such individual serves plus one year after such incumbency;

"(7) the Chairman and Treasurer of the principal national campaign committee seeking the election or reelection of the President, and any officer of the campaign exercising authority at the national level, such as the campaign manager or director; and

"(8) the President's spouse, the President's children and their spouses, and the President's parents, brothers and sisters and their spouses during the incumbency of the President."

Sec. 4. (a) Section 591(a) of title 28 of the United States Code is amended by striking out "specific information" and by inserting in lieu thereof "information sufficient to constitute grounds to investigate".

(b) Section 592(a) of title 28 of the United States Code is amended to read as follows:

"(a)(1) Upon receiving information that the Attorney General determines is sufficient to constitute grounds to investigate that any person covered by the Act has engaged in conduct described in section 591(a) of this title, the Attorney General shall conduct, for a period not to exceed ninety days, such preliminary investigation of the matter as the Attorney General deems appropriate. In determining whether grounds to investigate exist, the Attorney General shall consider—

"(A) the degree of specificity of the information received, and

"(B) the credibility of the source of the information.

"(2) In conducting preliminary investigations pursuant to this section, the Attorney General shall have no authority to convene grand juries, plea bargain, grant immunity, or issue subpoenas."

(c) Section 592(b)(1) of title 28, United States Code, is amended by striking out "finds that the matter is so unsubstantiated that no further investigation or prosecution is warranted" and inserting in lieu thereof "that there are no reasonable grounds to believe that further investigation or prosecution is warranted."

(d) Section 592(c)(1) of title 28, United States Code, is amended—

(1) by striking out "finds that the matter warrants further investigation or prosecution" and inserting in lieu thereof "finds reasonable grounds to believe that further investigation or prosecution is warranted";

(2) by striking out "that the matter is so unsubstantiated as not to warrant further

investigation on prosecution" and inserting in lieu thereof "that there are no reasonable grounds to believe that further investigation or prosecution is warranted"; and

(3) by adding at the end thereof the following new sentence: "In determining whether reasonable grounds exist to warrant further investigation or prosecution, the Attorney General shall comply with the written policies of the Department of Justice with respect to the enforcement of criminal laws."

(e) Section 592(c)(2) of title 28, United States Code, is amended by striking out "specific information" and inserting in lieu thereof "information sufficient to constitute grounds to investigate".

Sec. 5. Section 593 of title 28 of the United States Code is amended by adding at the end thereof the following new subsections:

"(f) Upon a showing of good cause by the Attorney General, the division of the court may grant a single extension of the preliminary investigation conducted pursuant to section 592 (a) of this title for a period not to exceed sixty days.

"(g) Upon request by the subject of an investigation conducted by an independent counsel pursuant to this Chapter, the division of the court may, in its discretion, award reimbursement for the attorney's fees incurred by such subject during such investigation if—

"(1) no indictment is brought against such subject; and

"(2) the attorney's fees would not have been incurred but for the requirements of this chapter."

Sec. 6. (a) Subsection (a) of section 594 of title 28 of the United States Code is amended by—

(1) striking out "and" at the end of paragraph (8);

(2) striking out the period at the end of paragraph (9) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding after paragraph (9) the following:

"(10) consulting with the United States Attorney for the district in which the violation was alleged to have occurred."

(b) Subsection (f) of section 594 of title 28 of the United States Code is amended by striking out "to the extent that such special prosecutor deems appropriate" and inserting in lieu thereof "except where not possible".

(c) Section 594 of title 29 of the United States Code is amended by adding at the end thereof the following new subsection:

"(g) The independent counsel shall have full authority to dismiss matters within his prosecutorial jurisdiction without conducting an investigation or at any subsequent time prior to prosecution if to do so would be consistent with the written policies of the Department of Justice with respect to the enforcement of criminal laws."

(d) Paragraph (1) of subsection (a) of section 596 of title 28 of the United States Code is amended by striking out "extraordinary impropriety" and inserting in lieu thereof "good cause".

Sec. 7. Section 598 of title 28 of the United States Code is amended by striking out "after the date of enactment of this chapter" and inserting in lieu thereof "after the date of enactment of the Ethics in Government Act Amendments of 1982".

THE ETHICS IN GOVERNMENT ACT AMENDMENTS OF 1982—SECTION-BY-SECTION ANALYSIS

SHORT TITLE

The first section sets forth the short title of this bill, the Ethics in Government Act Amendments of 1982.

Section 2: Name of Special Prosecutor

Section 2 would change the name of the special prosecutor to "independent counsel" in order to reduce the stigma of, and remove the Watergate connotation from, a special prosecutor investigation and to more accurately describe the purpose of appointing an individual to conduct an investigation.

Section 3: Coverage

Section 3 would amend the coverage of officials who are potential subjects of the special prosecutor process.

First, the present law (Section 591) would be amended to reduce coverage of middle-level Executive officials who, because they are close to neither Presidential nor Department of Justice decision-making, do not present realistic dangers of conflict of interest. Under the proposed amendments, the President, Vice-President, Cabinet members, Director and Deputy Director of the Central Intelligence Agency, Commissioner of The Internal Revenue Service, and positions in the Department of Justice at or above Level III of the Executive Schedule would continue to be covered. The amendments would limit coverage of officials in the Executive Office of the President to Level II or above of the Executive Schedule rather than Level IV or above, as under present law.

Section 3 would more precisely define which campaign "officers" are subject to the act by specifically covering the chairman and treasurer of the principal national campaign committee seeking election or reelection of the President and any other official of the campaign exercising authority at the national level, such as the campaign manager or director. The present law's coverage of campaign officials (Section 591(b)(6)) is vague and overinclusive by not limiting coverage to only officers who hold positions of authority.

Section 3 would extend coverage to family members of the President for only the incumbency of the President. Under present law, family members of the President are not covered.

This section also would reduce and standardize the length of time during which executive officials remain subject to the act. Under Section 591(b)(5) of the present law, an official remains covered for the entire incumbency of the President under which he serves and the full term or terms of the next President if the new President is of the same political party. Thus, an official can remain subject to the act for as long as 16 years after he or she leaves public office. The proposed amendment would cover all Executive officials for the incumbency of the President under which they serve plus one year, regardless of which political party holds the presidency.

Section 4: Standards for conducting a preliminary investigation and appointing a Special Prosecutor

Section 4 (a) and (b) would raise the present standard for determining whether a preliminary investigation is required. The proposed amendment states that "upon receiving information that the Attorney General determines is sufficient to constitute grounds to investigate" that any person cov-

ered by the act has violated a federal criminal law, the Attorney General must conduct a preliminary investigation. The proposed amendment stipulates that in determining whether "grounds to investigate" exist, the Attorney General shall consider the degree of specificity of the information and the credibility of the source of the allegation. The proposed standard differs from Section 592 of the present law which does not enable the Attorney General to consider the credibility of the accuser, but rather provides that a preliminary investigation must be conducted whenever the Attorney General receives "specific information" that a covered official has violated a federal criminal law. This standard can result in preliminary investigations for allegations with little or no factual merit.

Section 4(b) adds a new section 592(a)(2) to the statute. This is a clarifying amendment which provides that in conducting the preliminary investigation the Attorney General has no authority to convene grand juries, plea bargain, grant immunity or issue subpoenas. Although the legislative history of the act expressly denies these powers to the Attorney General, the act itself is silent on this issue, thus giving rise to varying interpretations on the permissible extent of the preliminary investigation.

Section (c)-(d) would raise the standard for appointment of a special prosecutor to require appointment if the Attorney General "finds reasonable grounds to believe that further investigation or prosecution is warranted." The amendment directs the Attorney General to comply with written policies of the Department of Justice with respect to the enforcement of criminal laws in determining whether reasonable grounds for further investigation or prosecution exist.

The present law (Section 592(b)-(c)) requires appointment unless the Attorney General concludes that the matter under investigation "is so unsubstantiated that no further investigation or prosecution is warranted." This trigger of appointment is almost automatic, leaving little practical opportunity for the Attorney General to dismiss allegations supported by little or no factual support. The standard also fails to incorporate the prosecutorial guidelines and policies of the Department of Justice, and requires a special prosecutor investigation even for offenses which would not be prosecuted if made by an ordinary citizen. By ignoring the standardized policies of the Department, the act imposes a different, more stringent application of criminal law on public officials.

Section 5: Extension of preliminary investigation and reimbursement of attorney's fees

Section 5 provides that the Special Prosecutor Division of the court may, upon a showing of good cause by the Attorney General, grant a single extension of the preliminary investigation for a period not to exceed 60 days. The present law (592(a)) places a 90-day limitation on the preliminary investigation with no provision for extension. This strict 90-day limitation may force the Attorney General to seek appointment of a special prosecutor simply because the 90-day period was too short.

Section 5 also would allow the court to grant, at its discretion, reimbursement of attorney's fees to subjects of a special prosecutor investigation if no indictment is brought and if the fees would not have been incurred but for the special prosecutor appointment. No provision for reimbursement exists in the present law and officials may

incur extensive legal fees during an investigation by a special prosecutor. The proposed amendment would not allow reimbursement for expenses incurred during a preliminary investigation as even private citizens would be subject to this type of investigation.

Section 6: Powers and removal of the Special Prosecutor

Section 6(a) would authorize the special prosecutor to consult with the U.S. Attorney for the district in which the violation of criminal law was alleged to have occurred. Although this is not prohibited under present law, the proposed amendment would expressly authorize the special prosecutor to do so in order to assist him in determining the policy of the particular jurisdiction regarding prosecution of the alleged offense.

Section 6(b) would require the special prosecutor to follow the prosecutorial guidelines of the Department of Justice. Section 594(f) of the present law requires the special prosecutor to comply with the written policies of the Department "to the extent that the special prosecutor deems appropriate." Section 6(b) would amend this section to require compliance "whenever possible" in order to create a presumption that the special prosecutor will follow prosecutorial guidelines.

Section 6(c) states that the special prosecutor shall have full authority to dismiss matters within his prosecutorial jurisdiction without conducting an investigation or at any subsequent time prior to prosecution if to do so would be consistent with the written policies of the Department of Justice. Although this is permissible under present law, the proposed amendment clarifies this authority so that special prosecutors will not unduly prolong investigations.

Section 6(d) of the bill would provide for removal of the special prosecutor by the Attorney General for "good cause," a standard which is used for removal of the heads of independent agencies. The amendment would not change the present law's provisions for full reports to Congress upon removing a special prosecutor and opportunity for judicial review of such removal; these are maintained as checks against interference by the Attorney General in the independence of the special prosecutor.

The present law (Section 596(a)(1)) provides for removal by the Attorney General only on the grounds of "extraordinary impropriety" or mental or physical disability.

Section 7: Expiration of the Special Prosecutor provisions

Section 7 would extend the sunset date of the act to five years after the adoption of these amendments.

The present law (Section 598) provides that the special prosecutor provisions will expire in October, 1983, unless otherwise extended by Congress.

By Mr. NUNN:

S. 2060. A bill to amend the Small Business Act to increase the authorization for funding 301(d) small business investment companies, and for other purposes; to the Committee on Small Business.

MESBIC FINANCING

● Mr. NUNN. Mr. President, I am pleased to introduce legislation which would increase the maximum funding authorization for the minority enterprise small business investment com-

pany (MESBIC) program. MESBIC's are Small Business Administration-licensed investment companies which specialize in providing equity funds, long-term loans, and management assistance to small business concerns owned by socially or economically disadvantaged persons.

Today, there are at least 145 active MESBIC's licensed by the Small Business Administration. In fiscal year 1981, MESBIC's provided a total of 692 financings for minority business—including 366 first-time financings—for a total of over \$55 million to these companies. The MESBIC program is among the most visible, and successful equity financing tools for minority businesses.

In addition, this program fits perfectly into the Senate Small Business Committee's long-standing preference for programs which involve, and rely on, the private sector. Under the MESBIC program, each licensed company must have an initial paid-in private capital of \$500,000 before licensing. In addition, the MESBIC makes the investment decision, and provides any management help to the company. Federal involvement is basically limited to the purchase of preferred stock in the MESBIC corporation itself—SBA makes no financial commitment to any of the MESBIC portfolio companies through this program—and insuring that MESBIC's adhere to the regulatory scheme established by statute.

Mr. President, this program works. The MESBIC industry is a stable, secure, and serious venture capital partner for minority businesses. With the hints that the Small Business Administration may cease making direct Government to business loans, a gap will exist for those quality businesses which are in need of equity for their business.

An increase in the authorization for MESBIC funding will provide the SBA and the Congress with an opportunity to prudently expand the MESBIC program. Without such a modest increase, I am concerned that this vital capital formation tool will simply cease to be a benefactor for the minority business community.

By Mr. MOYNIHAN (for himself and Mr. MATHIAS):

S. 2061. A bill to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public and Indian lands, and for other purposes; to the Committee on Energy and Natural Resources.

NATIONAL CONSERVATION CORPS

● Mr. MOYNIHAN. Mr. President, today I am introducing, for myself and my distinguished colleague, Mr. MATHIAS, a bill to establish a national conservation corps to enhance and re-

habilitate our Nation's public lands and, at the same time, provide employment opportunities for young men and women. This bill is identical to H.R. 4861, introduced in the House by Congressmen SEIBERLING and MOFFETT.

This new National Conservation Corps would be modeled after the Civilian Conservation Corps of the thirties, one of the most successful national conservation efforts in our history. During the CCC's 9-year lifetime, over 3 million young people performed conservation work valued at over \$1.5 billion. Many of the CCC's projects still stand today, a testament to the quality and quantity of the Corps' work.

The CCC was terminated in 1943, but in the last decade two similar programs were established, the Young Adult Conservation Corps—YACC—and the Youth Conservation Corps—YCC. They performed much the same tasks as the CCC, and their track records were no less impressive.

The YACC and the YCC were underserving victims of this year's budget cuts, this despite the fact that both programs returned well over \$1 worth of appraised conservation work for every dollar expended. I am proud to say that in my State of New York, the YACC and the YCC produced dramatic results. For each dollar invested in New York during fiscal year 1980, the YACC returned \$2.83 in conservation work and the YCC returned \$1.83. Now these numbers only reflect the value of the conservation work performed. They do not include the benefits realized by putting previously unemployed young people to work. These benefits, which are not easily quantified yet are nonetheless obvious to even the casual observer, include a decline in the number of unemployed youths, a reduction in drug abuse and, one would presume, the crime that often accompanies this social cancer, and the instillation and development of a strong work ethic in young people who previously had none.

Let me emphasize that conservation of our precious natural and cultural resources is, first and foremost, the goal of this program. We are faced with a formidable backlog of needed conservation work on our public lands, yet this administration pays only lip-service to these needs. The administration supported, and achieved, the elimination of all funding for the State portion of the land and water conservation fund. As recently as 1979, the State portion of the fund, which is used for grants to the States for acquisition and maintenance of parkland, was \$369.8 million. Now, just 2 years later, the States are being told to fend for themselves.

Without land and water conservation fund money, States will simply not have the resources to adequately maintain their parks and community facilities, much to the detriment of

every community and every citizen in this land.

The need, therefore, for a National Conservation Corps is more pronounced than ever. I submit that the Conservation Corps created by this bill, a Corps made up of unemployed young men and women eager to gain work experience and, at the same time, help conserve a part of our heritage, is a needed prescription for our conservation ills.

This is emphatically not a make-work or leaf-raking program. The work that will be done by this Conservation Corps is work that is necessary and that, in the absence of such a Corps, will simply not get done. The work will be hard and the pay will be low. But the history of conservation programs strongly suggests that this one will be a success. Desperately needed conservation work will be done. Young people will get a chance, many for the first time in their lives, to become productive members of society and to experience the profound sense of satisfaction that comes from working the land and seeing the fruits of their labor. And the rest of us will reap the benefits of putting unemployed young people to work on projects that are vital to the conservation of our natural resources and cultural heritage.

Let me now briefly explain what this bill would do. It would create a National Conservation Corps to carry out conservation and rehabilitation projects on Federal, State, local, and Indian lands. The Corps shall be composed of unemployed young men and women between the ages of 16 and 25—15 and 21 for summer programs. Preference in employment will be given to disadvantaged youths and to youths who reside in areas of substantial unemployment. Enrollees will receive the minimum wage, and may work in the Corps for up to 24 months.

The program would be administered by the Secretary of the Interior, with the cooperation of the Secretary of Agriculture. The Secretary of the Interior would provide assistance to program agencies in establishing and operating residential and nonresidential conservation centers. Not less than 40 percent of the funds would go to the States for State-based programs, and not less than 25 percent would go to the Department of Agriculture for work on Department-operated lands. Program agencies, which may include Federal, State, local, and tribal government bodies and nonprofit organizations, would apply to the Secretary of the Interior for grants to establish conservation centers to carry out projects.

Federal revenues generated from the franchise and permit fees, leasing activities, and timber sales in the Departments of Interior and Agriculture, including oil and gas leasing, would be

used to support the program, the actual funding level being determined by the appropriations process.

Typical projects would include forestry, rangeland conservation, recreational area improvement, historical and cultural site preservation, urban revitalization, and energy conservation. Preference will be given to projects that will provide long-term benefits to the public. Projects are limited to public lands, except where a project on other lands will have documented public benefits or where reimbursement is provided.

The bill we are introducing today will contribute greatly to the conservation and rehabilitation of our public lands, it will provide employment opportunities for our young people, and it will be cost effective. As such it deserves close scrutiny. For if we do not give adequate attention to the condition of our public lands and community resources, we run the risk of losing them forever. Mr. President, this bill is deserving of broad, bipartisan support, and I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2061

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Public Lands Conservation, Rehabilitation, and Improvement Act of 1981".

CONGRESSIONAL FINDINGS AND PURPOSE

SEC. 2. (a) FINDINGS.—The Congress finds that—

(1) public lands and resources, including parks, rangelands, wildlife refuges, forests, water resources, fishery facilities, and historic and cultural sites, have become subject to increasing public use and resource production demands;

(2) the condition of many of these lands and resources has deteriorated as a result of these increasing uses and demands and as a result of the inability of Government agencies to adequately staff and fund the maintenance necessary to arrest the deterioration;

(3) public land management agencies have a responsibility to assure that public lands and resources are managed—

(A) to assure continued productivity,

(B) to protect public health and safety, and

(C) to assure their wise and economic conservation, maintenance, and use;

(4) a program designed to systematically guide and enhance the conservation, rehabilitation, and improvement of our public lands and resources is urgently needed; and

(5) youth conservation programs have proven highly successful and cost effective in assisting land management agencies at all levels of government to reduce the backlog of neglected public land conservation, rehabilitation and improvement projects and to carry out other public land resource management work.

(b) **PURPOSE.**—It is the purpose of this Act to—

(1) reduce the backlog of conservation, rehabilitation, and improvement work on the public lands and prevent the further deterioration of public lands and resources;

(2) establish a program to improve, restore, maintain, and conserve public lands and resources in the most cost-effective manner;

(3) use such program to assist State and local governments in carrying out needed public land and resource conservation, rehabilitation, and improvement projects;

(4) provide for implementation of the program in such manner as will foster conservation and the wise use of natural and cultural resources through the establishment of working relationships among the Federal, State, and local governments, Indian tribes, and other public and private organizations; and

(5) use this program to increase (by training and other means) employment opportunities for young men and women especially those who are economically, socially, physically, or educationally disadvantaged and who may not otherwise be productively employed.

DEFINITIONS

SEC. 3. For purposes of this Act:

(1) The term "Secretary" means the Secretary of the Interior, except where otherwise expressly provided.

(2) The terms "public lands" and "publicly owned lands" mean any lands and waters (or interest therein) owned or administered by the United States or by any agency or instrumentality of a State or local government.

(3) The term "program" means the public lands conservation, rehabilitation, and improvement program established under this Act.

(4) The term "program agency" means any Federal agency or instrumentality with responsibility for the management of any public or Indian lands, any State agency designated by the Governor to manage the program, the governing body of any Indian tribe, any nonprofit organization which has been in existence for at least five years and which is undertaking, or proposing to undertake, projects consistent with the purposes of this Act.

(5) The term "Indian tribe" means any Indian tribe, band, nation, or other group which is recognized as an Indian tribe by the Secretary. Such term also includes any Native village corporation, regional corporation, and Native group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.).

(6) The term "Indian" means a person who is a member of an Indian tribe.

(7) The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for individual Indians or Indian tribes, and any real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States.

(8) The term "employment security service" means the agency in each of the several States with responsibility for the administration of unemployment and employment programs, and the oversight of local labor conditions.

(9) The term "chief administrator" means the head of any program agency as that term is defined in paragraph (4).

(10) The term "enrollee" means any individual enrolled in the program in accordance with section 5.

(11) The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territories of the Pacific Islands.

PUBLIC LANDS CONSERVATION, REHABILITATION, AND IMPROVEMENT PROGRAM

SEC. 4. (a) ESTABLISHMENT AND ADMINISTRATION OF PROGRAM.—Not later than ninety days after the enactment of this Act, the Secretary, in cooperation with the Secretary of Agriculture, shall establish and administer a public lands conservation, rehabilitation, and improvement program to carry out the purposes of this Act. Under such program, the Secretary shall provide assistance to program agencies for the establishment and operation of residential and non-residential conservation centers and for the implementation by such centers of projects designed to carry out such purposes.

(b) **PROJECTS INCLUDED.**—The program established under this section may include, but shall not be limited to, projects such as—

(1) forestry, nursery, and silvicultural operations;

(2) wildlife habitat conservation, rehabilitation, and improvement;

(3) rangeland conservation, rehabilitation, and improvement;

(4) recreational area development, maintenance, and improvement;

(5) urban revitalization;

(6) historical and cultural site preservation and maintenance;

(7) fish culture and habitat maintenance and improvement and other fishery assistance;

(8) road and trail maintenance and improvement;

(9) erosion, flood, drought, and storm damage assistance and control;

(10) stream, lake, and waterfront harbor and port improvement and pollution control;

(11) insect, disease, rodent, and fire prevention, and control;

(12) improvement of abandoned railroad bed and right-of-way;

(13) energy conservation projects and renewable resource enhancement;

(14) recovery of biomass from public lands, particularly forestlands; and

(15) reclamation and improvement of strip-mined lands.

(c) **PREFERENCE FOR CERTAIN PROJECTS.**—The program shall provide a preference for those projects which—

(1) will provide long-term benefits to the public;

(2) will provide meaningful work experience to the enrollee involved;

(3) will be labor intensive; and

(4) can be planned and initiated promptly.

(d) **LIMITATION TO PUBLIC LANDS.**—Projects to be carried out under the program shall be limited to projects on public lands or Indian lands except where—

(1) a project involving other lands will benefit associated public lands or Indian lands and such benefit is adequately documented; or

(2) a project involves other lands but either (A) significant public benefits are to be provided or (B) adequate arrangements are made to provide for appropriate reimbursement to the program agency of costs incurred by the agency in carrying out the project on nonpublic lands.

Notwithstanding any other provision of law, any reimbursement referred to in paragraph

(2) shall be retained by the program agency and shall be used by the agency for purposes of carrying out other projects under the program.

(e) **CONSISTENCY.**—The Secretary and the chief administrators of other program agencies shall assure that projects selected under this Act for conservation, rehabilitation, or improvement of any public lands are consistent with the provisions of law relating to the management and administration of such lands and with all other applicable provisions of law.

(f) **CONSERVATION CENTERS.**—(1) Each program agency may apply to the Secretary for approval of conservation centers to carry out projects under this Act.

(2) Applications for approval of conservation centers shall be submitted to the Secretary in such manner as the Secretary may prescribe. Each application shall contain, in such detail as the Secretary deems necessary—

(A) a comprehensive description of the objectives and performance goals for the conservation center and a description of the types of projects to be carried out;

(B) a description of the facilities and equipment to be available for use in the center;

(C) an estimate of the number of enrollees and crew leaders necessary for the proposed projects, the length of time for which the services of such personnel will be required, and the services which will be required for their support;

(D) a plan for managing the conservation center, supplying the necessary equipment and material, and administering the payroll; and

(E) such other information as the Secretary shall prescribe.

(3) In approving conservation centers, the Secretary shall give due consideration to the cost and means of transportation available between the center and the homes of the enrollees who may be assigned to those centers. The location and type of conservation centers shall be selected in such manner as will increase the enrollment of economically, socially, physically, and educationally disadvantaged youths and of youths from areas of high unemployment.

(g) **AGREEMENTS.**—Program agencies may enter into contracts and other appropriate arrangements with local government agencies and nonprofit organizations for the management of conservation centers under the program.

ENROLLMENT, FUNDING, AND MANAGEMENT

SEC. 5. (a) ENROLLMENT IN PROGRAM.—(1) Enrollment in the program shall be limited to individuals who, at the time of enrollment, are—

(A) unemployed;

(B) not less than sixteen or more than twenty-five years of age (except that programs limited to the months of June, July, and August may include individuals not less than fifteen years and not more than 21 years of age at the time of their enrollment); and

(C) citizens or lawful permanent residents of the United States or lawfully admitted alien parolees or refugees.

(2) Except in the case of a program limited to the months of June, July, and August, individuals who at the time of applying for enrollment have attained age sixteen but not attained age nineteen, and who are no longer enrolled in any secondary school shall not be enrolled in the program unless they give adequate written assurances,

under criteria to be established by the Secretary, that they did not leave school for the express purpose of enrolling.

(3) The selection of enrollees to serve in any conservation center carrying out projects on any public lands shall be the responsibility of the chief administrator of the program agency. Enrollees shall be selected from those qualified persons who have—

(A) applied to, or been recruited by, the program agency, a State employment security service, community or community-based nonprofit organization, the sponsor of an Indian program, or the sponsor of a migrant or seasonal farmworker program; and

(B) screened for eligibility and referred to the program agency by the State employment security service.

(4) In the selection of enrollees in the program, preference shall be given to both—

(A) economically, socially, physically, and educationally disadvantaged youths; and

(B) youths residing in areas, both rural and urban, which have substantial unemployment.

(5)(A) Except for a program limited to the months of June, July, and August, any qualified individual selected for enrollment in the program may be enrolled for a period not to exceed twenty-four months. When the term of enrollment does not consist of one continuous twenty-four-month term, the total of shorter terms may not exceed twenty-four months.

(B) No individual may remain enrolled in the program after that individual has attained the age of twenty-six.

(b) **SERVICES, FACILITIES, SUPPLIES, ET CETERA.**—The program agency shall provide such quarters, board, medical care, transportation, and other services, facilities, supplies, and equipment as the Secretary deems necessary for conservation centers. Whenever possible, the Secretary shall make arrangements with the Secretary of Defense to have such logistical support provided by a military installation near the proposed center, including the provision of temporary tent centers where needed.

(c) **CONSERVATION CENTER MANAGEMENT.**—Every conservation center shall have supervisory staff appointed by the chief administrator, including enrollees who have displayed exceptional leadership qualities.

(d) **FUNDING.**—(1) The Secretary may award grants to, or enter into agreements with, program agencies for the funding and operation of conservation centers approved by the Secretary under this Act.

(2) The Secretary shall not make any grant to, or enter into any agreement with, any program agency for the funding of any conservation center under this Act unless such agency certifies that the conservation center will not—

(A) result in the displacement of individuals currently employed by the land managing agency concerned (including partial displacement through reduction of nonovertime hours, wages, or employment benefits);

(B) result in the employment of any individual when any other person is in a layoff status from the same or substantially equivalent job within the jurisdiction of the program agency concerned; or

(C) impair existing contracts for services.

(3) Not less than 40 per centum of the sums appropriated to carry out this Act for any fiscal year shall be dispersed or expended by the Secretary to State program agencies; 10 per centum of such amount disbursed to such State agencies shall be divided equally among participating States and 90 per centum of such amount shall be dis-

tributed among the States proportionately according to the total youth population of the States between the ages of fifteen and twenty-five (as determined on the basis of the most recent census). Not less than 25 per centum of such sums appropriated for any fiscal year shall be disbursed by the Secretary pursuant to agreements with the Secretary of Agriculture.

(4) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

(5) There is authorized to be appropriated to the Secretary for each of the fiscal years 1983 through 1989 for purposes of carrying out this Act an amount equal to not more than — per centum of the sum of so much of the following amounts as would otherwise be credited to miscellaneous receipts in the Treasury—

(A) all franchise fees estimated to be collected for the fiscal year concerned by the Secretary and Secretary of Agriculture; and

(B) all receipts estimated to be due and payable to the United States for the fiscal year concerned from (i) permit fees (including fees for special use permits) imposed by the Secretary or the Secretary of Agriculture, (ii) sales of timber by the Secretary or the Secretary of Agriculture, and (iii) leasing activities of the Secretary and the Secretary of Agriculture.

Such sums shall remain available until expended.

(6) No authority under this Act to enter into contracts or to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriations Acts. Any provision of this Act which, directly or indirectly, authorizes the enactment of new budget authority shall be effective only for fiscal years beginning after September 30, 1982.

FEDERAL EMPLOYEE STATUS

SEC. 6. (a) **IN GENERAL.**—Except as otherwise specifically provided in the following paragraphs, enrollees and crew leaders shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment:

(1) For purposes of the Internal Revenue Code of 1954 and title II of the Social Security Act, enrollees and crew leaders shall be deemed employees of the United States and any service performed by any person as an enrollee shall be deemed to be performed in the employ of the United States.

(2) For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, enrollees and crew leaders shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply, except—

(A) the term "performance of duty" shall not include any act of an enrollee member or crew leader while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty); and

(B) compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee's or crew leader's employment is terminated.

(3) For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, enrollees and crew leaders shall be deemed employees of the United States

within the meaning of the term "employee of the Government" as defined in section 2671 of title 28, United States Code.

(4) For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, enrollees and crew leaders shall be deemed employees of the United States within the meaning of the term "employee" as defined in that section.

(b) **AMENDMENT OF TITLE 5.**—Section 8332(b) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (8);

(2) by striking out the period at the end of paragraph (9) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (9) the following new paragraph:

"(10) service as an enrollee in the public lands conservation, rehabilitation, and improvement program only if the enrollee later becomes subject to this subchapter."

SPECIAL RESPONSIBILITIES OF THE SECRETARY

SEC. 7. (a) **PAY.**—The Secretary shall establish standards for—

(1) rates of pay for enrollees which shall be not less than the wage required by section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1));

(2) rates of pay for crew leaders which shall be at a wage comparable to the compensation in effect for grades GS-3 to GS-7; and

(3) reasonable hours and conditions of employment.

(b) **COORDINATION.**—The Secretary and the chief administrators of other program agencies carrying out programs under this Act shall coordinate the programs with related Federal, State, local, and private activities.

(c) **MILITARY EXEMPTION STUDY.**—The Secretary, in consultation with the Secretary of Defense, shall conduct a study to determine the feasibility and desirability of allowing enrollees who have completed a two-year enrollment in the program to be exempt from training and service under the Military Selective Service Act (50 U.S.C. App. 456). A report containing the results of the study shall be submitted to Congress not later than one year after the enactment of this Act.

EDUCATION, GUIDANCE, AND PLACEMENT

SEC. 8. (a) **ACADEMIC CREDIT.**—Whenever possible, the Secretary shall make arrangements for the award of academic credit by educational institutions and agencies to enrollees for competencies developed from work experience under this Act.

(b) **STUDY.**—Program agencies may provide educational materials and services for enrollees and may enter into arrangements with academic institutions for academic study by enrollees during nonworking hours to upgrade literacy skills, obtain equivalency diplomas or college degrees, or enhance employable skills.

(c) **CERTIFICATION.**—The program agencies shall provide certification of the skills acquired by enrollees who have participated in the program.

(d) **GUIDANCE AND PLACEMENT.**—The program agency shall provide such job guidance and placement information and assistance for enrollees as may be necessary. Such assistance shall be provided in coordination with appropriate State, local, and private agencies and organizations.

ANNUAL REPORT

SEC. 9. The Secretary shall prepare and submit to the President and to the Congress

at least once each year a report detailing the activities carried out under this Act. Such report shall be submitted not later than March 1 of each year following the date of enactment of this Act. The Secretary shall include in such report such recommendations as he considers appropriate.

SECTION-BY-SECTION ANALYSIS

Section 1 provides a short title for this Act: "Public Lands Conservation, Rehabilitation, and Improvement Act of 1981."

Section 2 establishes the findings of Congress: that public lands and resources are being subjected to increased public use as well as additional demands for resources production and that this demand has produced a deteriorated condition that is beyond the funding and staff capability of government agencies to arrest or repair. The bill establishes a program to enhance and rehabilitate these public lands by providing employment opportunities for young men and women. It recognizes the need to reduce the maintenance backlog on public lands; establish a program to accomplish this work in a cost effective manner; coordinate and cooperate in this effort with State and local governments, Indian Tribes and other public and private organizations.

Section 3 defines terms used in the bill. Section 4 authorizes the Secretary of the Interior to establish and administer a Public Lands Conservation, Rehabilitation and Improvement Program. Under this program, the Secretary shall assist Federal and State agencies, non-profit organizations and Indian tribes (defined as "program agencies") in the establishment and operation of residential and non-residential conservation centers.

Typical projects to be accomplished under this program include: forestry, rangeland conservation, recreational area improvement, historical and cultural site preservation, urban revitalization, energy conservation, and other such activities which will result in public benefit. Preference to certain projects which, among other things, will provide long-term benefits to the public. Projects are limited to public lands, except where a project on other lands will have documented public benefits or reimbursement is provided. Projects must also be consistent with other provisions of law.

In addition, section 4 requires that program agencies apply to the Secretary of the Interior for approval to operate conservation centers. Application must include comprehensive description of the goals and objectives for such a center, a description of facilities and equipment to be available for the center, and estimate of enrollees, crew leaders, duration and type of services required for support, and a management plan for the center.

The location of conservation centers will be selected in such a way as to increase the enrollment of the economically, socially, physically and educationally disadvantaged youth and youth from areas of high unemployment. The Secretary must give due consideration to the cost and means of transportation between the center and homes of enrollees. Program agencies may enter into contracts with local government agencies and non-profit organizations for the management of conservation centers.

Section 5 describes eligibility for the program, including persons who are unemployed; not less than 16 or more than 25 years of age (except for summer programs where enrollees must be not less than 15 or more than 21 years of age); citizens, lawful

permanent residents of the United States or lawfully admitted aliens or refugees. Except for the summer program, persons age 16-18 may not have left school for the express purpose of enrolling in this program.

Selection of enrollees is the responsibility of the chief administrator of the program agency. Enrollees shall be selected from those qualified who have applied to or been recruited by a program agency, State employment security service, community-based non-profit organization or the sponsor of an Indian program, or migrant or seasonal farm worker program and who have been screened for eligibility and referred by the State employment security service. Selection shall give preference to economically, socially, physically or educationally disadvantaged youth and to youth in areas of substantial unemployment.

No enrollee shall be a member of this program for longer than 24 months, although the period may be taken in 2 or 3 short terms which total no more than 24 months.

No enrollee may be employed as part of this program after age 26. The program agency shall be responsible for all services, facilities and supplies for the operation of conservation centers. Whenever possible the Secretary will arrange with the Secretary of Defense for logistical support to be provided by military installations near the center. The chief administrator of the program agency shall appoint supervisory staff. Enrollees who have displayed exceptional leadership qualities may be appointed as crew leaders.

This section also authorizes funding of conservation centers through the Secretary of the Interior and places limits on the funding of certain centers. The Secretary may award grants or enter into agreements with program agencies for the operation of approved conservation centers, provided that the center will not displace otherwise employed individuals or employees in layoff status from the same or equivalent job, nor impair existing contracts for services.

A funding distribution formula is also provided. Not less than 40 percent of sums appropriated for this program shall be disbursed to State program agencies; of that amount 10 percent will be divided evenly among participating States and 90 percent will be distributed proportionally according to the total youth population of the States between the ages of 15 and 25. Not less than 25 percent of the remaining sums will be disbursed to the Department of Agriculture pursuant to agreements between the Secretary of Agriculture and the Secretary of the Interior.

Authorization for each fiscal year between 1983 and 1989 would be limited to a percentage of the amounts otherwise credited to miscellaneous receipts in the Treasury from all franchise and permit fees, leasing activities and timber sales in the Department of the Interior and the Department of Agriculture. Funding would require appropriations legislation and new budget authority would not be effective until after September 30, 1982.

Section 6 describes the Federal Employee Status of enrollees and amends Title 5 Section 8332(b) to accommodate the purposes of this Act.

Section 7 describes the Secretary of the Interior's special responsibilities with regard to setting minimum wage rates of pay for enrollees and coordination with other Federal, State, local and private activities. The Secretary is directed to submit, within a year of enactment, a study of the feasibility

and desirability of allowing enrollees who have completed a two-year enrollment, to be exempt from military service and training under the Selective Service Act.

Section 8 directs the Secretary to make arrangements for the award of academic credit by educational institutions and agencies to enrollees who have attained work competencies as a result of this program.

Program agencies may provide educational materials and services for enrollees, and may enter into agreements with academic institutions to provide academic study for enrollees during non-working hours. Program agencies are directed to provide certification of skills acquired by enrollees and to provide job guidance and placement information as may be necessary.

Section 9 requires the Secretary of the Interior to make an annual report to the President and Congress on the activities of the program not later than March 1st of each year.

● Mr. MATHIAS. Mr. President, I am pleased to join the distinguished senior Senator from New York in introducing the Public Lands Conservation, Rehabilitation, and Improvement Act of 1982.

The need for this legislation is great. It simultaneously seeks to correct two major problems facing our Nation today.

First, the bill directly addresses the deteriorating condition of our public lands and parks by establishing residential and nonresidential conservation centers to upgrade the country's natural and cultural resources. Millions of acres of public rangeland are in substandard condition, and millions more are experiencing severe soil erosion. Furthermore, national, State, and city parks are suffering from the effects of vastly increased public use while the manpower and funds to deal with these effects are not forthcoming due to tightened budgets throughout all levels of government. Much needs to be done, especially in the conservation field. Activities such as reforestation, erosion and flood control, reclamation of strip-mined lands, and rangeland management would be promoted by enactment of this legislation.

Projects authorized under the bill would not, however, be limited to rural areas. Our towns and cities would also benefit through programs for harbor and port improvement, for repair and maintenance of city parks and community facilities, and for energy conservation. Priority would be given to those projects which will provide long-term benefits to the public and will provide meaningful work experience to the enrollees.

In addition to the environmental problems, this legislation addresses the serious problem of youth unemployment. We all know the depressing figures; but statistics tend to be cold, and at times defy understanding. Today's jobless numbers are harshly real, however. They include disillu-

sioned young people, many of whom are minority group members, unable to find a job, and thus denied an opportunity to show they can contribute to this country's welfare. The bill we introduce today seeks to alleviate this deplorable situation by providing meaningful jobs on needed projects for young people aged 16 to 25. Preference is to be given to economically, socially, physically, and educationally disadvantaged youths, and to youths residing in areas, both rural and urban, which have substantial unemployment. The location and selection of the conservation centers will be made so as to increase the enrollment of such youths. In addition, the program agencies, whether they be Federal, State, local or tribal governmental bodies or nonprofit organizations, will provide job guidance and placement information and assistance for enrollees.

I believe this legislation will be cost effective. It is estimated that at a cost of \$10,000 annually per enrollee the country will gain a return of \$7,500 worth of public benefits. Of course, these figures do not reflect the gain in human terms to the enrollees, nor the benefits of reduced welfare and unemployment costs to our national and local economies. Furthermore, activities such as reforestation will increase our capital assets, thus returning even more money to the Treasury and thus to the taxpayer.

Unemployment diminishes the lives and aspirations not only of the unemployed and their families, but of all Americans. The Nation is poorer by virtue of the lack of goods and services produced; and by the social problems, including crime, which accompany high unemployment. We must regard unemployment in terms of its harmful effects on individuals and on our society to fully comprehend its devastation. It is a waste of energy, a waste of creativity, and a waste of our most precious national resource—our people.

This bill is not the final answer to youth unemployment. Other efforts are desperately needed, but passage of this legislation can play a significant role in easing a tragic situation. ●

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. THURMOND, the Senator from North Carolina (Mr. EAST) was added as a cosponsor of S. 46, a bill to amend title 5 of the United States Code to permit present and former civilian employees of the Government to receive civil service annuity credit for retirement purposes for periods of military service to the United States as was covered by social security, regardless of eligibility for social security benefits.

S. 1172

At the request of Mr. JEPSEN, the Senator from Florida (Mrs. HAWKINS) was added as a cosponsor of S. 1172, a bill to amend the Internal Revenue Code of 1954 to eliminate the holding-period requirements for capital gains treatment.

S. 1693

At the request of Mr. KASTEN, the Senator from Montana (Mr. BAUCUS), the Senator from South Dakota (Mr. ABDNOR), the Senator from Montana (Mr. MELCHER), the Senator from Minnesota (Mr. BOSCHWITZ), and the Senator from Michigan (Mr. RIEGLE) were added as cosponsors of S. 1693, a bill to provide for the issuance of a special stamp to commemorate the 200th anniversary of the presence of the bald eagle on the official seal of the United States of America.

S. 1701

At the request of Mrs. HAWKINS, the Senator from New York (Mr. MOYNIHAN) was added as cosponsor of S. 1701, a bill to amend title 28, United States Code, to authorize the Attorney General to acquire and exchange information to assist Federal, State, and local officials in the identification of certain deceased individuals and in the location of missing children and other specified individuals.

S. 1757

At the request of Mr. STEVENS, the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1757, a bill to amend the Internal Revenue Code of 1954 to clarify the tax-exempt status of certain amateur sports organizations.

S. 1918

At the request of Mr. SPECTER, the Senator from Pennsylvania (Mr. HEINZ) was added as a cosponsor of S. 1918, a bill to establish the Northeast-Midwest States Federal Hydro-power Financing Authority.

S. 1956

At the request of Mr. THURMOND, the Senator from Hawaii (Mr. INOUE), the Senator from Indiana (Mr. LUGAR), the Senator from North Dakota (Mr. BURDICK), the Senator from North Dakota (Mr. ANDREWS), and the Senator from New Jersey (Mr. WILLIAMS) were added as cosponsors of S. 1956, a bill to amend title 38, United States Code, to authorize reimbursement for the reasonable charge for chiropractic services provided to certain veterans.

S. 1961

At the request of Mr. MITCHELL, the Senator from Alabama (Mr. HEFLIN) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 1961, a bill to amend the Internal Revenue Code of 1954 to provide energy tax credits for equipment used aboard or installed on fishing vessels.

S. 2012

At the request of Mr. PROXMIER, the Senator from Arkansas (Mr. BUMPERS) was added as a cosponsor of S. 2012, a bill to amend the Internal Revenue Code of 1954 to limit the deduction of living expenses by Members of Congress and to eliminate the provision which allows such deduction without substantiation of such expense.

SENATE JOINT RESOLUTION 58

At the request of Mr. HATCH, the Senator from North Dakota (Mr. ANDREWS) was added as a cosponsor of Senate Joint Resolution 58, a joint resolution proposing an amendment to the Constitution altering Federal fiscal decisionmaking procedures.

SENATE JOINT RESOLUTION 110

At the request of Mr. HATCH, the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of Senate Joint Resolution 110, a joint resolution to amend the Constitution to establish legislative authority in Congress and the States with respect to abortion.

SENATE JOINT RESOLUTION 121

At the request of Mr. ROBERT C. BYRD, the Senator from Maryland (Mr. MATHIAS) was added as a cosponsor of Senate Joint Resolution 121, a joint resolution to provide for the designation of the year 1982 as the "Bicentennial Year of the American Bald Eagle" and the designation of June 20, 1982, as "National Bald Eagle Day."

SENATE JOINT RESOLUTION 121, ADDITIONAL COSPONSOR

Mr. ROBERT C. BYRD. Mr. President, I was to read the following statement on behalf of Mr. MITCHELL:

Mr. President, on November 9, 1981, Senator CHAFEE and I introduced Senate Joint Resolution 121, a measure designating 1982 the Bicentennial Year of the American Bald Eagle and June 20 National Bald Eagle Day. The bill, by commemorating the 200th anniversary of the designation of the eagle as our national symbol, provides a tribute not only to the majesty of the Bald Eagle and the Nation it represents, but also the efforts of a wide variety of Americans who are working for its recovery. S.J. Res. 121 had 51 cosponsors on December 29, 1981, when it was unanimously passed by the Senate.

One early cosponsor of the legislation was Senator MATHIAS. The distinguished Senator from Maryland has long supported conserving and protecting our natural resources and his interest in S.J. Res. 121 was very helpful and greatly appreciated.

Through a clerical error, Senator MATHIAS was not properly recorded as a cosponsor of the bill. I ask unanimous consent that the permanent record of the Senate be corrected to reflect his cosponsorship of the legislation.

Mr. President, on behalf of Mr. MITCHELL, I do ask unanimous consent that the permanent RECORD of the Senate be corrected to reflect Mr. MATHIAS' cosponsorship of the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I yield the floor.

AMENDMENTS SUBMITTED FOR PRINTING

TELEVISION AND RADIO COVERAGE OF THE SENATE

AMENDMENT NO. 1247

(Ordered to be printed and to lie on the table)

Mr. PRESSLER submitted an amendment intended to be proposed by him to the resolution (S. Res. 20) providing for television and radio coverage of proceedings of the Senate.

SENATE CONCURRENT RESOLUTION 61—CONCURRENT RESOLUTION RELATIVE TO SOCIAL SECURITY BENEFITS

Mr. MATTINGLY submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 61

Whereas unforeseeable economic conditions have adversely affected the changes made by the Congress in 1977 in the social security retirement benefit formula;

Whereas those born in 1917 (and thereafter) whose work records are otherwise identical to work records of those born in 1916 will receive lower social security benefits under the present formula and economic conditions;

Whereas a simple repeal of the 1977 benefit formula would cost the Federal Old Age and Survivors' Insurance Trust Fund approximately \$7,000,000,000 and would adversely affect those who chose to retire in the 1979 through 1981 period at age 62 through 64;

Whereas some compensatory alteration in benefit formulas is desirable to mitigate the benefit differentials being experienced by those retiring at age 65 in 1982; and

Whereas the National Commission on Social Security, after extensive investigation, found that this disparity in benefit amounts was unjust and that steps should be taken to resolve it; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That, the Commissioner of Social Security and the Secretary of Health and Human Services should immediately conduct a study and report to Congress by March 31, 1982, on those steps (if any) which Congress might consider for purposes of changing the social security benefit disparity created under the current benefit formula transition (known as the "notch problem") in order to afford a more gradual transition between benefit formulas for those who have based their retirement plans on benefit levels which have existed for the past decade.

SOCIAL SECURITY BENEFITS

Mr. MATTINGLY. Mr. President, today I rise to submit a concurrent resolution which calls for an investigation by the Commissioner of Social Security and the Secretary of Health and Human Services into what has

come to be called the "notch" problem in social security.

People retiring this year are going to receive less money than those who retired in 1981. This is the result of amendments passed by Congress in 1977 that changed the method by which the rate of inflation is calculated. What was unforeseen in 1977 was the very high interest rates we have had in the last few years. This has resulted in a drastic change in benefits between retirees of the last few years and the retirees of 1982 and beyond.

Congress in 1977 unknowingly created a time bomb that is now ready to go off. The mild little adjustment in the benefit formula was scheduled to just result in a slight decrease. But the economic whirlwinds have created a potentially huge gap in monthly payments to retired workers.

How can you explain to someone who has paid into the system all of his life that he will receive far less than someone who retired the year before? They contributed the same amount into the system yet because one was born in 1916 instead of 1917, he will receive as much as \$175 a month more than his fellow worker.

If someone can tell me how to explain the fairness of that to this year's retirees, I would like to hear about it and so would many of my constituents who are having trouble understanding.

I am all for saving money where we can, no matter what the program. I am not afraid of the social security problem and, as many of you are aware, I have introduced legislation with Senator SYMMS and Senator LUGAR that would change the cost-of-living adjustments on social security and other entitlement programs.

I am firmly convinced, however, that all retirees should be treated equally and any changes gradually phased in over a period of time. There is an old saying that goes, "Let's feed everyone out of the same spoon," that I think applies here.

I believe that, if properly explained, the majority of people will understand and go along with difficult decisions we will be making in the future that will affect social security. They may not be very happy about any changes in social security but as long as the changes are perceived as being fair and even-handed, they will accept them. Any hint of unfairness will be deeply resented and rightly so. We need to set the tone for fairness now in dealing with the "notch" problem.

I call upon my fellow Senators to join me in supporting this concurrent resolution. Congressman BRINKLEY of my home State has submitted a similar resolution in the House. I believe Congress should be on record as calling for fairness.

SENATE CONCURRENT RESOLUTION 62—CONCURRENT RESOLUTION ON THE 70TH ANNIVERSARY OF HADASSAH

Mr. HATCH (for himself and Mr. KENNEDY) submitted the following concurrent resolution: which was referred to the Committee on the Judiciary:

S. CON. RES. 62

Whereas Hadassah, the Women's Zionist Organization of America and the largest women's volunteer organization in the United States was founded on February 24, 1912;

Whereas Hadassah, with 370,000 members in all 50 states and Puerto Rico, celebrates its 70th Anniversary;

Whereas its seven decades of service have contributed to the health and education of countless thousands of persons both directly and through the training of medical personnel;

Whereas Hadassah created and maintains the world-renowned Hadassah-Hebrew University Medical Center in Jerusalem, Israel, which is a living expression of the common humanitarian, social, ethical, religious and scientific values and friendship shared between the peoples of the United States and Israel;

Whereas the Hadassah-Hebrew University Medical Center and its facilities have been made available to treat all peoples of the region regardless of religion, race or nationality in the tradition of this Oath of the Hebrew Physician: "... You shall help the sick, base or honorable, stranger or alien or citizen, because he is sick ...";

Whereas Hadassah has striven to help promote democracy and create a better society for all peoples;

Whereas Hadassah's volunteerism in helping others, exemplified by its founder, Henrietta Szold, has provided inspiration and encouragement at a time when citizen groups are being urged to play a greater role in promoting the general well-being;

Be it therefore resolved that the Senate (the House of Representatives concurring) congratulates Hadassah on its 70th Anniversary and extends its best wishes for many more decades of international humanitarian service.

70TH ANNIVERSARY OF HADASSAH

Mr. HATCH. Mr. President, in his state of the Union message, President Reagan spoke of his faith in the American people, a faith by which he expressed confidence that our citizens and private organizations would begin to perform services which our Government may no longer fund in its drive for fiscal integrity.

Mr. President, I, too, share his faith in the American people to "perform the good works they choose," and today would like to recognize and commend a service organization of long-standing dignity. Indeed, this organization does not require the motivation of a Presidential plea to perform its service, but exemplifies the quality of service from which all America can learn.

Today, Senator KENNEDY and I are submitting a Senate concurrent resolution congratulating Hadassah, the

Women's Zionist Organization of America, on 70 years of exemplary service.

Hadassah was founded on February 24, 1912, as a humanitarian service organization. Today, seven decades later, it is the largest women's volunteer organization in the United States, with 370,000 members. Through the work of its many dedicated members and by training medical personnel, this exemplary organization has reached out to countless thousands of persons regardless of religion, race, or nationality.

Hadassah created and maintains the world-renowned Hadassah-Hebrew University Medical Center in Jerusalem, Israel, which honors the Oath of the Hebrew Physician: "... You shall help the sick, base or honorable, stranger or alien or citizen, because he is sick ...". The Hadassah-Hebrew University Medical Center is a living expression of the common humanitarian, social, ethical, religious, and scientific values shared between the peoples of the United States and Israel.

Mr. President, Hadassah idealizes the hope of President Reagan. Indeed, the "volunteer spirit is still alive and well in America." We wish them success for their service in America and abroad, for now and for many years to come.

● Mr. KENNEDY. Mr. President, I am honored to cosponsor this concurrent resolution with Senator HATCH commemorating the celebration of the 70th anniversary of Hadassah, the Women's Zionist Organization of America.

Hadassah was founded on February 24, 1912, and for seven decades has played a major leadership role in serving humanitarian goods in our Nation and around the world. With a membership of 370,000, it is now the largest women's volunteer organization in the United States.

Hadassah created and maintains the Hadassah-Hebrew University Medical Center, which trains medical personnel on the basis of the Oath of the Hebrew Physician: "You shall help the sick, base or honorable, stranger or alien or citizen, because he is sick ...".

Through the commitment and dedication of its members, Hadassah has made major efforts to promote economic and social justice and to create a better world for all peoples.

At a time when citizens' groups are being urged to play a greater role in promoting the general well-being, Hadassah deserves the recognition and the thanks of the U.S. Senate for its volunteer efforts over the last 70 years.

I am therefore proud to join with Senator HATCH in submitting this resolution in the Senate and encouraging its formal adoption by the Senate.●

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, February 4, at 10 a.m., to hold a hearing on S. 1937, a bill to extend the expiration date of section 252 of the Energy Policy and Conservation Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

ANCHORAGE POST OFFICE

Mr. STEVENS. Mr. President, during the holiday recess there appeared in one of my hometown papers, the Anchorage Daily News, an editorial on the operation of the Anchorage post office during the Christmas holiday season. As I have stated before, I do not hesitate to criticize the Postal Service when they are wrong or to pursue a constituent's complaint. But, I also feel it incumbent upon us to give credit where credit is due when the Postal Service and its employees perform an outstanding job. That's just what the Anchorage Daily News did in their recent editorial.

I join in saluting Anchorage Postmaster Robert Opinsky and the outstanding postal employees there for a job well done during this last Christmas season. I submit for the RECORD the complete text of the December 16, 1981, editorial in the Anchorage Daily News.

The editorial follows:

HOLIDAY GOOD CHEER FROM THE POST OFFICE

Holiday-season trips to the post office, it seems, are more often an occasion for fear and loathing than Christmas cheer. Long lines and confusion too easily can overshadow the spirit of the season with a demonstration of one of its minor aggravations. But when efficiency and cheerful service are encountered at the post office during the holiday rush ... well, it simply gladdens the heart.

A reliable reporter offered an account of just such an experience Tuesday afternoon—a story of competence and prompt assistance at both the Spenard Post Office and the Carrier Station on Arctic Boulevard. In neither place did long lines bring long delay. Troubleshooters working in front of the counter weighed packages and sorted out difficulties ahead of time; a full staff of workers behind the counter handled matters smoothly and cheerfully. Information and assistance were available for the asking, and given with courtesy. In 10 minutes, our reporter mailed two packages, stocked up on stamps, and bought stamp collector kits to use as gifts.

No doubt there are plenty of post office horror stories afoot these days—tales of short tempers and woe, rude treatment and needless delay. Perhaps our reporter's experience was the exception rather than the

rule. Perhaps the tensions of the next 10 days will reduce the effort to mail a package to an exercise in frustration and chaos. But this case was a demonstration that even the post office can be a forum for grace under pressure. The model could, and should, be copied throughout the holiday season and beyond.

Many's the time we have wished the Christmas spirit would ease the aggravations of December trips to the post office. Many's the time we have wished for a little extra effort by the postal service—something beyond lectures on early mailing—to reduce the confusion and delay involved in sending holiday packages and greetings.

Now that we've actually seen just that, we'd be remiss if we failed to sing praises and root for more of the same.

BRUCE T. KAJI

● Mr. HAYAKAWA. Mr. President, on February 4, 1982, Bruce T. Kaji, a dedicated American and Californian, will be honored by the Boy Scouts of America for his diligent support of their organization, and his many worthwhile civic contributions to our Nation. Mr. Kaji will be bestowed the honor of the Distinguished Citizen Award. Being an individual of extreme integrity and dedication, Mr. Kaji has my wholehearted support and admiration in light of his numerous accomplishments.

The development of American youth through the Boy Scouts of America has always been one of Mr. Kaji's ardent priorities. It is his belief that the Boy Scout organization has acted as a successful means in which the values in our young adults are being reinforced. His keen insight and awareness in this regard has enabled others to respect and emulate his outstanding example. There can be no greater tribute to a man's character than when other individuals are motivated by his productive deeds.

In addition to his involvement with scouting, Mr. Kaji has been an energetic force in the Japanese community. This is exemplified by his leadership in organizations such as the Little Tokyo Community Development Advisory Committee, Minami Keiro Retirement Home, Japanese Cultural Institute, Japanese American Citizens League, Nisei Veterans Coordinating Council, and other groups. With his election as treasurer of the city of Gardena in 1962, Mr. Kaji was instrumental in building the foundation of Japanese representation in government and became the first American elected to office in the continental United States. In his desire for recognition of Japanese-American accomplishments, he has most recently directed his efforts to the creation of the National Japanese American Museum which will be located in Little Tokyo.

The noble qualities of Mr. Kaji certainly warrant the respect that has

been bestowed upon him. His appetite for intellectual stimulus continues to enhance and motivate his magnanimous personality. It is precisely for this reason that I, along with every other American, should be proud of this selfless individual. ●

SECRETARY WATT'S CONTINUING ABUSE OF POWER

● Mr. CRANSTON. Mr. President, if President Reagan is serious about getting Government off the backs of the people, he should take a careful look at the activities of Interior Secretary James Watt.

Watt's first year at Interior has consisted of abuse after abuse of our laws in almost compulsive disregard of the intent of Congress. Mr. Watt has demonstrated a startling incomprehension of our Constitution and of the separation of powers.

Thus, it is no surprise that Watt should end his first year with another abuse of power: The firing of a young lobbyist who questioned Watt's flagrant rightwing radicalism. The Interior Department's pressure on the young man's bosses is an abuse of Federal power which even the Reagan White House should condemn.

Our former colleague, Senator Gaylord Nelson, now chairman of the Wilderness Society, has laid out the case against Watt's role as "a spokesman for discord and intimidation." I wish to share Senator Nelson's letter with the supporting documents with my colleagues and ask that they appear at this place in the RECORD.

The material follows:

THE WILDERNESS SOCIETY,

Washington, D.C., January 29, 1982.

HON. ALAN CRANSTON,
Russell Office Bldg., Washington, D.C.

DEAR ALAN: The Washington Post and the New York Times this week carried reports about an energy company executive, Timothy L. Donohoe, who was fired for writing a personal letter to James Watt questioning the Secretary's statement to California farmers:

"I don't use the words 'Democrats' and 'Republicans'... It's liberals and Americans."

Mr. Donohoe took exception to having his patriotism questioned, and it cost him his job.

I have been an outspoken critic of Secretary Watt because I believe his policies and actions represent a serious threat to the environment and the public lands. But no action since he became Secretary more than a year ago has caused me more concern than the undisguised and heavy-handed use of arbitrary power against an individual American who happened to have honest differences with Mr. Watt.

Mr. Donohoe worked for a Dallas energy company, Enserch, which holds 324 oil and gas leases on federal land and also has lease applications pending before the Department of Interior.

Therefore, it could only have had a chilling effect on the chairman of Enserch to receive a very pointed letter from Stanley Hulett, Interior's Secretary for Congression-

al and Legislative Affairs and a key aide to Mr. Watt, relating that "the Secretary is, frankly, surprised at Mr. Donohoe representation in the attached letter."

One can only conclude that the Interior Department was sending a clear signal that, not only was the Secretary displeased, but that action by Enserch was expected.

The implications of this are enormous. 118 million acres of federal land have been leased to private oil and gas companies. Thousands of lease applications are pending. The Department of Interior decides what applicant shall be granted a lease and sets the guidelines that must be followed in exploring and extracting oil and gas.

Is not this whole episode a threatening signal to all who do business with the Interior Department? Rarely has Washington seen such a raw abuse of power.

This case is a reprehensible example of a consistent pattern of inflammatory and divisive statements that Mr. Watt set when he first took office and has followed ever since. The record shows beyond doubt that he has created a climate of abusive intimidation and retaliation in dealing with people or organizations who disagree with him or his policies.

Mr. Watt made this clear early in his administration. Last March in his first major policy speech, to national park concessioners, he said: "We mean business, and when you read the press you're going to find out that I can be cold and calculating, and indeed I can... If a personality is giving you a problem, we're going to get rid of the problem or the personality, whichever is faster."

During Mr. Watt's confirmation hearings a year ago, he pledged "to listen, to reach out" and to "open up" channels of communication. His words and actions have made a mockery of that pledge.

In December, Mr. Watt ordered Department of Interior officials not to meet with or talk to professional conservationists.

Addressing the Board of the U.S. Chamber of Commerce, many members of which are regularly involved in matters before the Interior Department, Mr. Watt chastised corporate leaders whose companies make contributions to conservation organizations, specifically naming The Wilderness Society, Sierra Club, National Wildlife Federation, and the National Audubon Society.

"The battle is not one of environmental rules. The battle is over a philosophy of government," he said. "Are we going to have a centralized, socialized planned economy as we had in the last administration, or are we going to a market-oriented system?"

The Legal Times of Washington reported recently that Mr. Watt has complained about energy companies' hiring of Carter administration officials as lawyers or consultants, and that the Interior Department has made it known that Democratic counsel will not be welcome at the agency.

Addressing park concessioners, he denounced decades of Congresses, administrations, and cabinet members by declaring that he was going "to change 40-50 years of bad government."

He has pitted western states against eastern states and turned America's land and natural resources into a sectional, political battleground.

The Reagan administration says it wants to get the government off the backs of individual Americans. Yet, one individual who had the temerity to question Mr. Watt's assertion that liberals are un-American suddenly found the full weight of Interior Department on his back, and was fired.

Mr. Watt tries to pass off as a joke his distinction between "liberals and Americans." As the Donohoe firing demonstrates, that kind of mean remark coming from Secretary Watt is neither a joke nor empty rhetoric. As he said himself, "We mean business."

As the enclosed material illustrates, Mr. Watt has become a spokesman for discord and intimidation that have no place in our free society, and certainly not in the Cabinet of the United States.

Sincerely,

GAYLORD NELSON,
Chairman.

WASHINGTON, D.C.
December 1, 1981.

HON. JAMES G. WATT,
The Secretary of the Interior,
Washington, D.C.

MY DEAR MR. SECRETARY: Would you kindly furnish a further clarification of your remarks, as reported in a certain California newspaper and reprinted in yesterday's Washington Post, which could be construed as a questioning of the patriotism of certain individuals?

For the record, I am an American and a liberal. And the Washington lobbyist for a \$3 billion energy concern.

I would appreciate a thorough and personal reply.

Very truly yours,

TIMOTHY L. DONOHOE.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., December 15, 1981.

MR. WILLIAM MCCORD,
President, Enserch Corporation
Dallas, Tex.

DEAR MR. MCCORD: I thought you might find interesting a copy of a letter delivered by hand to the Secretary's Office by your Washington representative. The issue Mr. Donohoe questions was part of a joke the Secretary told at a political fundraiser and is certainly not meant to question the patriotism of anyone.

The Secretary is, frankly, surprised at Mr. Donohoe's representation in the attached letter.

Yours truly,

STANLEY W. HULETT,
Assistant to the Secretary and Director
of Congressional and Legislative Affairs.

[From the Dallas Times Herald, Jan. 26,
1982]

ENSERCH LOBBYIST FIRED FOR CRITICISM OF
WATT: "LIBERALS VS. AMERICANS" CONCEPT
CHALLENGED

(By Jeffrey S. Unger)

A lobbyist for the corporation that owns Lone Star Gas Co. has been fired for questioning Secretary of Interior James G. Watt's comment that the political world is divided between "liberals and Americans."

Timothy L. Donohoe, 36, was fired after a Watt aide wrote the lobbyist's boss—and included with his message a copy of a letter Donohoe had sent Watt about his remarks. The aide said Watt was "surprised" Donohoe would do such a thing.

Donohoe, who said today he still has not received a reply from Watt or the department, was fired from his \$30,000-a-year job as a Washington representative for Enserch, a Dallas-based natural gas company that owns Lone Star Gas, earlier this month for his "lack of judgment."

On Dec. 1, Donohoe said, he wrote Watt about a report in the previous day's Wash-

ington Post, quoting a Fresno Bee story about a speech Watt had made to a group of California farmers. In the speech Watt said, "I never use the words Republicans and Democrats. It's liberals and Americans."

Donohoe, in a telephone interview this morning, said the newspaper article did not lead him to believe the remark was made tongue-in-cheek, although Watt's aide claimed that was the case.

In Donohoe's letter, written on private stationery with his office address, the lobbyist asked Watt to "kindly furnish a further clarification of your remarks . . . which could be construed as questioning the patriotism of certain individuals."

"For the record," he added, "I am an American and a liberal. And the Washington lobbyist for a \$3 billion energy concern."

Donohoe, whose official title with the company was federal relations coordinator, said he received no reply, but was called in two weeks ago, by his supervisor, Candice J. Shy, and shown a copy of his letter and one written Dec. 15 by Stanley W. Hulett, an assistant to Watt and director of the Interior department's congressional affairs office. Hulett's letter was to William C. McCord, chairman and chief executive officer of Enserch.

Hulett wrote: "I thought you might find interesting a copy of a letter delivered by hand to the secretary by your Washington representative."

"The issue Mr. Donohoe questions was part of a joke the secretary told at a political fund-raiser and is certainly not meant to question the patriotism of anyone."

"The secretary is, frankly, surprised at Mr. Donohoe's representation in the attached letter."

Donohoe said Ms. Shy, vice president for federal relations, told him he was being fired for his "lack of judgment" in writing the letter.

Shortly before noon today, the company issued this statement: "This use of poor judgment by Mr. Donohoe in writing such a letter was the basis of his dismissal. The fact that the letter was addressed to the Secretary of the Interior had no bearing on the decision to terminate Mr. Donohoe." McCord's office referred all questions to Ms. Shy in Washington, who could not be reached.

Hulett also was not available for comment, but Tom DeRocco, acting deputy director of the office of public affairs at Interior, said, "The letter will have to speak for itself."

Rep. Charles Wilson, D-Tex., on whose staff Donohoe had worked for seven years before joining Enserch 14 months ago, said he was disturbed by the incident.

Wilson, who is from Lufkin, described himself as "sort of a closet defender of Watt because I've had so much hell with the extreme environmentalists in my district. But that's over. I think he's as bad or worse than his detractors have been saying. This was a vengeful, nasty thing to do."

"This is McCarthyism in its worse form," Wilson said.

Wilson said he plans to talk to Rep. Morris Udall, D-Ariz., chairman of the House Interior Committee, and Rep. Sidney R. Yates, D-Ill., chairman of the House Appropriations subcommittee on interior, to see if they will investigate the incident.

"What I'd like to do, if they would do it, is get some hearings to find out if the department always tries to get people fired who write critical letters," Wilson said.

Wilson, a strong supporter of the oil and gas industry, was less critical of Enserch than he was of Watt. "I would say that in circumstances like this I don't fault the company, because a major energy company can be intimidated by the Interior Department," he said.

He said he called Enserch executives following Donohoe's firing but realized there was little point in pressing the issue.

Wilson said the fact that Hulett had "taken the trouble to track down" Donohoe's employer and "sent a letter to the chairman of the board, instead of to Tim . . . represents the smallness, the pettiness and the hatefulness people have been accusing Watt of."

Donohoe went to work for Wilson on March 16, 1974, after dropping out of a Catholic seminary only a short time before he was to be ordained as a priest. Wilson called him a "jack of all trades" who handled constituent case work, energy research and assisted the press secretary.

Ms. Shy had once been Wilson's press secretary and worked with Donohoe when he worked for the congressman. She hired him away from Wilson's office to become a lobbyist.

Donohoe said his letter to Watt was the first he had ever written on a private matter to a public official. Watt's luncheon comments as quoted in the Post "struck a chord," Donohoe said, and moved him to write the secretary. Donohoe said he did not notify anyone at Enserch that he had written the letter and that the company has no policy against such letters, he said.

[From the Dallas Morning News, Jan. 27, 1982]

LOBBYIST FIRED AFTER LETTER TO WATT (By William J. Choyke)

WASHINGTON.—Until 16 days ago, Timothy Donohoe was one of two lobbyists in the respected federal relations office of Dallas-based Enserch Corp., a profitable energy conglomerate.

Today the self-described "liberal and American" is looking for a new job after he was fired for questioning Interior Secretary James Watt's recent remarks that the political world was divided between "liberals and Americans."

Donohoe, 36, was fired earlier this month after a top-ranking aide to Watt complained to Enserch president William McCord, a staunch supporter of Reagan administration policies, about a personal letter the lobbyist wrote to Watt on Dec. 1.

The letter asked Watt to clarify statements that included disparaging remarks about liberals made during a secretly taped speech to a California farm group. The House of Representatives is "riddled with a bunch of liberals" and Washington is more a city of "liberals and Americans" than of "Democrats and Republicans," Watt said in the speech, which was first reported in a California newspaper.

After reading about the speech, Donohoe wrote to Watt on stationery that included his name and office address. Although the stationery was purchased by Enserch, it did not include the name of the company, which until 1975 was called Lone Star Gas Co.

In the letter, Donohoe, identifying himself as "the Washington lobbyist for a \$3 billion energy concern," said he was "an American and a liberal" and sought a clarification of the statements "which could be construed as questioning the patriotism of certain individuals."

He did not name his employer.

Two weeks later, the Interior Department congressional affairs director, Stanley Hulett, sent the letter on to McCord, whose company holds many mineral leases on federal land controlled by the Department of Interior.

In a cover letter, Hulett wrote to McCord: "I thought you might find interesting a copy of a letter delivered by hand to the secretary (Watt) by your Washington representative . . . The secretary is, frankly, surprised at Mr. Donohoe's representation in the attached letter."

Tom DeRocco, acting deputy director of the Interior's office of public affairs, said late Tuesday that "Mr. Hulett acted without the secretary's knowledge when he sent that letter." While he said Watt was surprised upon learning about the letter, he said he was not aware of any action taken against Hulett, who was unavailable for comment.

But DeRocco's explanation did not satisfy Rep. Charles Wilson, D-Lufkin, who employed Donohoe for seven years before he joined Enserch.

"It is a case of meanness and McCarthyism on the part of Watt," said Wilson, who said Hulett's letter was intended to intimidate Enserch.

"I've never seen anything that vengeful in my 10 years up here. To take the trouble to chase him down and then write the chairman of the board of his company. It's absolutely an outrage," Wilson said.

After about a month of "dealing with the problem," Donohoe said, he was fired Jan. 11 from his \$30,000-per-year post by his boss and old friend Candice Shy. The order to dismiss him originated with McCord, who earned \$458,315 in 1980, company records show.

"It didn't ever occur to me that I could lose my job over this," Donohoe said. "The letter (to Watt) wasn't meant to be tongue-in-cheek although it could be described as cheeky."

McCord, Enserch chairman and president, declined to respond to questions. But the company issued a statement saying that "this use of poor judgment by Mr. Donohoe in writing such a letter was the basis of dismissal."

Ms. Shy, who worked with Donohoe on Wilson's staff, said that since he began work at Enserch, Donohoe "had been doing very, very well."

"He had made a good contribution," said Ms. Shy, who in her early 30s is considered one of the top young energy lobbyists in Washington. "This was just too much."

While she did not have any specific figures available, Ms. Shy, the Enserch vice president for federal relations, said leases on federal lands "does not constitute a significant portion of our lease holds." The company's main subsidiary owned total leases of 1.9 million net acres in the United States in 1980.

A diversified energy company, Enserch has experienced rapid growth during the past seven years as its revenues have increased from \$658 million in 1975 to more than \$3 billion in 1981. It now has several divisions, including Lone Star Gas Co. and employs more than 20,000 persons.

While McCord is described as a non-political company president, he reported during the annual shareholders' meeting last year that "nearly everything we see going on with the Reagan administration is either favorable or suggestive of improvements to be forthcoming."

[From the Washington Post, Jan. 26, 1982]
**GAS COMPANY LOBBYIST FIRED FOR
 QUESTIONING WATT REMARK**
 (By David S. Broder)

A gas company lobbyist who questioned Secretary of Interior James G. Watt's comment that the political world is divided between "liberals and Americans" was fired from his job after a Watt aide wrote the lobbyist's boss that the secretary was "surprised" the lobbyist would do such a thing.

Timothy L. Donohoe, 36, said yesterday he was fired from his \$30,000-a-year job as Washington representative for Enserch, a Dallas-based natural gas company, earlier this month for his "lack of judgement."

On Dec. 1, Donohoe said, he had written Watt about a report in the previous day's Washington Post, quoting a Fresno Bee story about a speech Watt had made to a group of California farmers. In the speech, Watt said, "I never use the words Republican and Democrats. It's liberals and Americans."

In the letter, written on private stationery with his office address, Donohoe asked Watt to "kindly furnish a further clarification of your remarks . . . which could be construed as questioning the patriotism of certain individuals."

"For the record," he added, "I am an American and a liberal. And the Washington lobbyist for a \$3 billion energy concern."

Donohoe said he received no reply, but was called in two weeks ago by his boss, Candice J. Shy, and shown a copy of his letter and one written on Dec. 15 by Stanley W. Hulett, an assistant to Watt and director of Interior's congressional affairs. Hulett's letter was to William C. McCord, chairman and chief executive officer of Enserch.

Hulett wrote: "I thought you might find interesting a copy of a letter delivered by hand to the secretary by your Washington representative."

"The issue Mr. Donohoe questions was part of a joke the secretary told at a political fund-raiser and is certainly not meant to question the patriotism of anyone."

"The secretary is, frankly, surprised at Mr. Donohoe's representation in the attached letter."

Donohoe said yesterday that Shy told him that he was being fired for his "lack of judgement" in writing the letter. Cleaning out his desk yesterday, he said he was still in a state of "shock and disbelief."

William T. Satterwhite, senior vice president and general counsel for Enserch, last night confirmed the basic facts in Donohoe's account but said, "I believe it would be inappropriate to comment further."

Interior's Hulett was not available for comment, but Tom DeRocco, acting deputy director of the office of public affairs at Interior, said, "The letter will have to speak for itself."

Rep. Charles Wilson (D-Tex.), on whose staff Donohoe had worked for seven years before joining Enserch 14 months ago, said he was disturbed by the incident.

Wilson said the fact that Hulett had "taken the trouble to track down" Donohoe's employer and "sent a letter to the chairman of the board, instead of to Tim . . . represents the smallness, the pettiness and the hatefulness people have been accusing Watt of. I have been a defender of Watt, but this represents a kind of vengefulness I hate to see."

DeRocco would not comment on Wilson's remarks.

[From the New York Times, Jan. 26, 1982]
LOBBYIST, JOBLESS, ACCUSES WATT AIDE
 (By Phil Gailey)

WASHINGTON, January 26.—A Washington lobbyist for a Texas energy company says he was dismissed after Interior Department officials complained to his employers about a letter he wrote to Interior Secretary James G. Watt.

The former lobbyist, Timothy L. Donohoe, said he wrote the letter as a private citizen, and on personal stationery. In it, he said, he sought a clarification of Mr. Watt's statement in November that the House of Representatives was "riddled with a bunch of liberals" and that Washington was more a city of "liberals and Americans" than of "Democrats and Republicans."

Instead of responding, Mr. Donohoe said, Stanley W. Hulett, assistant secretary for Congressional and legislative affairs, sent a copy of the letter with one of his own to William McCord, president of the Enserch Corporation of Dallas, Mr. Donohoe's employer. A carbon copy was sent to Charles DiBona, president of the American Petroleum Institute.

Mr. Hulett said in his letter, Mr. Donohoe continued, that "the issue Mr. Donohoe questions was part of a joke the Secretary told at a political fund-raiser and is certainly not meant to question the patriotism of anyone."

According to the Donohoe account, the letter concluded: "The Secretary is, frankly, surprised at Mr. Donohoe's representation in the attached letter."

Mr. McCord did not return a reporter's telephone call today. Neither did Mr. Watt nor Mr. Hulett, even though a message was left with their offices explaining the nature of the inquiry.

Mr. Donohoe said he was told two weeks ago by his supervisor, Candice J. Shy, vice president for Federal relations for Enserch, that Mr. McCord had decided to dismiss him for a lack of judgment in writing the letter.

"It still boggles my mind," said Mr. Donohoe, who is 36 years old and describes himself as "both a liberal and an American." He added, "I can't believe my company is doing this to me."

Mr. Donohoe said Representative Charles Wilson, Democrat of Texas, for whom he worked for seven years on energy matters, had tried to persuade Enserch officials to reconsider.

Mr. Wilson, in a telephone interview, characterized Mr. Hulett's action as "an awfully, awfully cheap shot" and said he planned to take the matter before appropriate House committees.

Mr. Donohoe said he had decided to write the letter after reading newspaper accounts of Mr. Watt's remarks to a group of California farmers last November. Although the meeting was closed to reporters, a farmer taped the Secretary's remarks and made the tape available to The Fresno Bee.

[From the Washington Post, Jan. 27, 1982]
**AIDE SAYS WATT NOT INVOLVED IN
 LOBBYIST'S FIRING**

A spokesman for Secretary of Interior James G. Watt said yesterday that Watt never saw the letter one of his aides sent to an energy company executive that led to the firing of the company's Washington lobbyist.

Timothy L. Donohoe was fired from his \$30,000-a-year job with Enserch, a Dallas-based natural gas company, after writing Watt a letter questioning the secretary's

statement quoted in a newspaper article that he divided the political world, not between Republicans and Democrats, but between "liberals and Americans."

Instead of replying to Donohoe, Stanley W. Hulett, an assistant to Watt and director of Interior's congressional liaison office, sent a copy of Donohoe's letter to William C. McCord, the chairman and chief executive officer of Enserch. Hulett wrote that "the secretary is, frankly, surprised at Mr. Donohoe's representation in the attached letter." Enserch then fired Donohoe.

Douglas Baldwin, Interior's director of public affairs, said yesterday that Watt "was not involved in that [Hulett's] letter. He learned about it when he read it in the paper today." Later, Baldwin added that Watt had read Donohoe's letter and was "surprised" at its contents, but Baldwin insisted that Watt gave "no instructions to anyone on the staff to pursue it further."

Hulett continued to refuse telephone calls, but Baldwin said that answering the letter "was within the scope" of Hulett's office. Asked why Hulett had written to the corporation president, with a copy to the head of the American Petroleum Institute, rather than to Donohoe, Baldwin said: "Often a letter of praise is sent to a supervisor so the subordinate gets credit."

Asked if that was the intent in this case, he said, "No."

Meantime, Candice J. Shy, the head of Enserch's Washington office, said the "bad judgment" for which Donohoe was fired was his reference to himself as an energy company lobbyist and the fact that the stationery on which he wrote, while not having the company name, did have its Washington address and phone number.

[From the Legal Times, Jan. 11, 1982]
**INTERIOR WARNS AGAINST RETAINING
 POLITICAL OUTSIDERS**
 (By W. John Moore)

At least four ex-Carter administration attorneys now striving to develop an energy and environment practice in Washington have found their efforts hindered by Interior Department officials who have warned present or prospective clients against retaining politically undesirable lawyers.

The intimidation ranges from comments by some Interior Department officials that they prefer to deal with Republican law firms, to outright threats to some companies that their outside counsel will not be welcome at the agency, according to former Carter administration officials.

The Interior Department scare tactics have worked in varying degrees, according to sources. In at least one case, the client dropped his lawyer and the law firm and sought new counsel. In another instance, the client shifted part of the legal work at Interior to a Republican consultant; and in a third case, the attorney agreed that a more politically palatable member of his law firm should represent his client at Interior. As a result, the lawyers conceded that the tactics have injured both their pocketbooks and their pride.

In the rarefied air of high-level Washington law, "denying access to an attorney is like signing a death warrant for his practice," said one lawyer. As a result, the attorneys targeted by Interior declined to discuss their problems on the record.

Agency officials declined to respond to questions about the attorneys, despite Legal Times' repeated phone calls to Interior Secretary James G. Watt's office, to other de-

partment officials, and to Interior's public affairs office.

Although Watt did not specifically discuss lawyer representation with the attorney's clients, the lawyers maintain that the highly charged partisan atmosphere at the agency is created by Watt.

"My suspicion is that Watt is right on top of this. He is a lawyer and knows this game intimately. He knows exactly how to cripple people," said one former Interior Department attorney.

TERRIBLE MISTAKE

According to another source, Watt "complained about energy companies' hiring Carter administration officials as lawyers or consultants and what a terrible mistake it was" at a meeting last summer with approximately 10 industry officials. The lawyers claim that W. Perry Pendley, deputy assistant secretary for energy and minerals, and David C. Russell, deputy assistant secretary for land and water resources, discouraged energy companies from hiring former Carter administration lawyers.

"This quasi-official policy met with favor in the department," said one lawyer. "I can't imagine any political appointee making these kinds of statements to companies without feeling pretty comfortable that he would be supported by Mr. Watt," said another attorney.

"What really distinguishes this administration from any other one that I have seen in my 20 years in Washington is this kind of petty vindictiveness," said a former Justice Department lawyer now in private practice.

Although the former Carter administration attorneys—all of whom held high-level legal positions at the Interior Department—believe that the officials' actions are unfair and unethical, they point out that any complaints would boomerang and only erode existing clients' confidence in their legal ability and access to power. "If there is a perception among your clients that you are an untouchable then you really are through," noted one lawyer. "To complain would be extremely foolish," added another attorney. "The only attitude to take is that I'm going to be here a lot longer than they are."

For the same reason, the four attorneys contacted by Legal Times agreed to discuss the matter only off the record, fearing that any mention of their names or their law firms' identity would only further endanger their relationship with their clients.

"If I had a stable of clients, I could talk more openly," noted one of the attorneys. "My one major client came to me because of my experience and reputation. I'm not a rainmaker, and I don't want to endanger my relationship with this client," he added.

REPUBLICAN CONSULTANT

Nevertheless, the lawyers agreed to discuss the Interior Department's actions on a not-for-attribution basis. In one instance, for example, an Alaskan-native group represented by a former higher-level Interior official was told by one Reagan appointee to get another counsel. Instead, the group decided to retain its lawyer, but hired a Republican consultant as well.

Another lawyer who has lost three clients said one of them told him that an Interior Department deputy assistant secretary frowned on the company's legal counsel.

A legal services office in the West, interested in securing a contract from the Bureau of Indian Affairs at Interior, was considering hiring a former Interior official as a consultant on the contract. But the deal eventually fell through after the attorney's name was mentioned in Washington.

"At the point the details of the deal got back to Washington and my name was heard in connection with the case—at that point all negotiations were suspended," said the lawyer.

A former Justice Department lawyer now in private practice encountered similar problems with Interior. After he resolved a case out West involving his client and Interior's Bureau of Land Management, an Interior official called the client directly and complained about the client's hiring a former Carter administration lawyer. Interior's interference "caused serious reverberations in that law firm," according to one attorney.

According to one lawyer, his client was told by a political appointee at Interior that while he liked the lawyer personally, "[the attorney] is not going to be welcome representing you [here]."

The lawyers who have encountered difficulties at Interior admit to being baffled and confused by the problems. They agree that in Washington—where one administration's lawyers become the next administration's lobbyists—this type of pressure is highly unusual. "My God, half the people who came around to see us at Interior were former Nixon or Ford people, and we never gave it a thought," said one of the attorneys now running into trouble at his old agency.

"This is really a case of misplaced partisanship," noted another lawyer, who stressed that the government needs the cross-fertilization of ideas that comes from contacts with the other side.

But another attorney affected by the threats to his clients admitted there is very little he can do. "I would not try to flout that policy, whatever it is, to the detriment of my client," he said. "I have asked one of my colleagues who is politically more attuned to represent my client in this type of situation."

[From the Washington Report, Nov. 16, 1981]

CHAMBER RENEWS FISCAL-POLICY STAND (By R. T. Gray)

The U.S. Chamber of Commerce has rallied behind President Reagan in the escalating controversy over his economic policies.

At its quarterly meeting, the chamber board unanimously adopted a resolution reaffirming strong support for the Reagan program.

The statement declared, "The transition from over-dependence on the federal government to a revitalized private-enterprise economy will not occur quickly or easily."

"Yet, the course the president has charted is sound and deserves the unwavering support of all Americans and their elected representatives."

Earlier, Vice president George Bush said in an appearance before the board, "the president is determined to stay the course; you have nothing to worry about. . . . This president is not about to retreat under fire."

Bush told the directors that of the many groups with which he comes in contact, "none has been more steadfast than you, not always to the benefit of your own interests. . . . You have stood on the basis of principle. The president appreciates your support enormously."

In other activities at the meeting:

Interior Secretary James Watt said the battles he is embroiled in with his critics go beyond strict environmental concerns and involve efforts of his opponents to thwart

administration efforts to restore a free-market economy.

Defense Secretary Caspar Weinberger disputed claims that the president's planned military buildup will aggravate inflation.

In reaffirming its support for the president's economic initiatives, the Chamber noted it had been the first national organization to go on record in support of the program Reagan announced Feb. 19.

"We took this action," the board said, "in full confidence that the Reagan package of budget reductions, tax cuts, regulatory relief and moderation in the growth of the money supply offered a winning formula for a new era of economic prosperity in the 1980s."

The board's support did not extend, however, to the administration's recent proposal to raise additional income through what the White House calls revenue enhancements.

The proposed steps deal with tax accounting rules affecting contracts, energy tax credits, co-insurance, payment schedules for corporate taxes and industrial development bonds.

The board said the tax policies for which it had renewed its support were designed to increase savings and investment but that the new proposals would seriously jeopardize those goals. The directors said in a statement:

"Great uncertainty would be created throughout the business community because any major tax revision proposals would reopen the debate that culminated in the recent enactment of the tax bill and increase economic uncertainty."

In his speech to the board, Bush noted there are already positive economic trends despite critics' assertions that the president's program is failing.

He noted declines in inflation, the prime interest rate and the Federal Reserve discount rate.

"This is at least a start," he said. "If we are fair with each other, it is not a bad start at all."

In a particularly hard-hitting talk to the board members, Watt said many businesses were helping finance organizations attempting to block his efforts to restore market concepts to the energy field and make more effective use of natural resources in general.

He listed specifically the Audubon Society, the National Wildlife Federation, the Sierra Club, Friends of the Earth and the Wilderness Society.

"The battle is not one of environmental rules. The battle is over a philosophy of government," he said. "Are we going to have a centralized, socialized planned economy as we had in the last administration, or are we going to a market-oriented system?"

Weinberger said reductions in military and non-military spending did not have an equal impact on reducing the federal deficit.

Reducing transfer payments, he said, would lower the budget on virtually a dollar-for-dollar basis. But a dollar cut from military spending only reduces the deficit 53 cents, he noted, because of the manner in which military outlays return revenue in the form of worker and corporate taxes.

[From the Washington Post, Jan. 8, 1982]
HOW INTERIOR IS CHANGING, FROM THE INSIDE

(By Mary Thornton)

Last August, the Interior Department tried to reverse more than 10 years of federal policy toward the Pyramid Lake Paiute Indian tribe by recommending that the Jus-

tice Department not challenge a court ruling that would have provided less water to the Nevada tribe and more to a federal reclamation project.

Although Justice didn't buy Interior's recommendation, it was an example of a subtle effort by Interior Secretary James G. Watt and his assistants to bring their philosophy to Interior through administrative changes and new interpretations of old laws.

The changes have taken place mainly in Interior's solicitor's office and the Office of Surface Mining, two offices that have been targeted by conservatives as enclaves of environmental activism.

According to interviews with department employees, the changes involve not only heavy pressure to come up with legal opinions favorable to administration positions—whether or not they will hold up in court—but also transfers and personnel changes that have caused many of the lawyers to look for new jobs.

A recent evaluation of Watt's first year at Interior, circulated to the department, said that the solicitor and his top deputies are "important personnel who can advance administration policies," and that, to implement those policies, Carter administration holdovers who do not agree with those policies must be removed.

Lawyers say there have been major changes in the way they are asked to do their work. They say that virtually all legal decisions are being reviewed by political appointees in the solicitor's office to make sure they are in line with Watt's policies. They add that there are major changes in the type of cases that are being pursued.

Douglas Baldwin, an assistant to Watt, acknowledged that there have been changes in management procedure, but he says those are the prerogative of any new secretary.

As one example, Interior has initiated virtually no new cases on behalf of Indian tribes since Watt took over. In addition, the department has also instituted a policy, resisted so far by the Justice Department, of giving state courts jurisdiction in Indian water rights cases. The cases traditionally have been heard in federal court because of the animosity between the tribes and the states.

On natural resources, department lawyers say the emphasis has shifted toward encouraging development. For example, department sources say Interior officials are working on a legal argument that would give the president, rather than Congress, the power to approve development in areas under study as possible wilderness areas.

Department lawyers also say there have been far fewer appeals of cases that Interior loses, even when Interior may have had a good chance of winning on appeal.

"Their attitude seems to be that if industry won in the first place they must have been right," one lawyer said.

Employees in the Office of Surface Mining say there is so much encouragement now to cooperate with the states that one employee put up a sign saying: "State Permits Approved While You Wait!"

"There are two categories of persons in the department: liberals and Americans," said one lawyer who asked not be identified. "I've been told not to bother with any option not in line with what the administration policy is."

A lawyer who recently left the solicitor's office said, "I think what happens essentially is those in the solicitor's office who provide legal arguments that don't go the way they want are simply circumvented. In

terms of providing effective legal advice, the solicitor's office has been destroyed."

Employees in both offices say they believe that Watt is also trying to get rid of lawyers he is afraid may stand in his way.

Last March Watt announced the firing of 51 employees in the solicitor's office, including 28 lawyers. He said the office had exceeded its hiring ceiling and that the employees had been hired illegally by the Carter administration.

But less than two months later the department advertised for six new lawyers, some at salary levels at least twice that of most those fired.

Harman Kallman, a spokesman for the agency, said in an interview that the attorneys fired from Interior were not rehired because they did not have "the skills the department needed most. Most were junior people with limited experience and background. Since everyone counts [at a time of reduced budgets], we'll try to get the most skilled and senior people we can."

But Rep. Edward J. Markey (D-Mass.), chairman of the House Interior Committee's oversight subcommittee, noted at a hearing that one of the new lawyers had experience in personal injury and child custody cases, not natural resources law.

Markey asked Watt last July to provide the subcommittee with extensive information on the new lawyers, but so far most of it has not been provided, his aides said.

Last May Watt also announced a reorganization of the Surface Mining Office, which enforces strip-mining regulations. During the transition period the office was targeted by the Heritage Foundation, a conservative research group, for its "zealotry."

Watt was forced to back off on a major part of the reorganization—transferring OSM's technical services division from Denver to Casper, Wyo.—after congressional hearings indicated that the move would be as hard on industry as on the Interior employees. But by then nearly half the employees in that office had quit.

There also have been widespread resignations among the legal staff in Denver, forcing the department to fly lawyers back and forth from Washington.

The latest personnel change is the transfer of at least 13 lawyers in the solicitor's office. The transfers involve major moves, from coast to coast in some cases, and in many instances will shift lawyers into areas about which they know nothing.

Harold Baer, for example, has worked in the Denver office as a trial attorney in the area of minerals, oil and gas. He is being transferred here, where his field will be wilderness, grazing and right-of-way law.

"They told me they needed my expertise," he said. But, he said, he is unfamiliar with his new area.

Baldwin said the transfers were "deemed to be necessary for the placing of staff resources where the work is. . . . There's always a certain amount of distress when people have to be transferred. . . . but they all work for the government for the benefit of the taxpayer."

He insists that the moves are not a way of getting rid of unwanted lawyers.

Others disagree. "I believe they're going to have a wholesale housecleaning in this place," one lawyer said. "But none of us are political, none of us are policy makers. I think it's more a sickness that anyone who was there when they came in cannot be trusted. We're all a little at a loss as to why this is happening, but I think there are more to come, many more to come."

WATT ON AMERICA, AMERICANS

I. THE UNAMERICANS: LIBERALS AND ENVIRONMENTALISTS

"They (National Audubon) don't want a government that believes in people. They want a government that believes in centralized, socialist planning."—Watt speaking at Colorado Resource Consortium luncheon. Quoted in "Watt Delivers GOP Pitch to Mining Industry," *The Colorado Sun*, Sept. 30, 1981.

"I don't use the words 'Democrats' and 'Republicans' . . . It's liberals and Americans."—Watt speaking to farmers in Los Banos, CA. Quoted in "The Park Service Feels an Early Winter Chill from Watt's Interior," *L.A. Times*, Nov. 8, 1981.

"But I underline to you folks and friends that we are in a battle for individual liberty . . . not for farming . . . not for minerals . . . not for oil and gas . . . but to our very form of government. It goes back to what makes a nation great, and it is how it manages its human resources and its natural resources. The battleground is not what our critics would like you to believe it is . . . protecting the environment. We are all for that. It is for our form of government, which leads to our liberty."—Watt quoted in *Editorial*, *World of Agricultural Aviation*, November 1981.

"What is the real motive of the extreme environmentalists, who appear to be determined to accomplish their objectives at whatever cost to society? Is it to simply protect the environment? Is it to delay and deny energy development? Is it to weaken America?"—"Scenario for Ravaging the West," by James Watt, *Denver Post*, 1978.

"We mean business, and when you read the press you're going to find that I can be cold and calculating and indeed I am . . . If a personality is giving you a problem, we're going to get rid of the problem or the personality, whichever is faster."—Watt speaking to the Conference of National Park Concessioners, Washington, D.C., March 9, 1981.

"I continue to be a sagebrush rebel. . . . We are rebelling against the liberal Democrats who would snuff out America."—Watt speaking to the Republican Western States Conference. Quoted in "Sagebrush Rebellion a success, Watt says," *Tri-City Herald* (Pasco, WA), Oct. 19, 1981.

"Environmentalists. . . . That's a facade for liberal democrats."—Watt quoted in Pete Hamill's column, *Rocky Mountain News*, Oct. 18, 1981.

"I feel truly sorry for those individuals who signed the petition sincerely, only to find out that they were misled by uninformed and uncaring environmental extremists."—Watt quoted in *Editorial*, *El Dorado Times* (Kansas), Nov. 3, 1981.

"And those very few people in Washington who lost their privileged position to the accesses of power don't like the fact that they got kicked out and we let Americans come in, sportsmen and hunters and miners and timbermen. And we opened up the government to the people."—Watt speaking at Republican fundraiser in Wyoming, September 1981, as televised in "60 Minutes" report January 10, 1982.

"I fear that our states may be ravaged as a result of the actions of the environmentalists—the greatest threat to the ecology of the west."—"Scenario for Ravaging the West," by James Watt, *Denver Post*, 1978.

II. ELITISTS VS. THE PEOPLE

"The President was brought to power by a restlessness of the people because they needed change and he represents change

and those old time liberals that don't want change are gonna frustrate we conservatives who want change every chance they can and we've gotta change 40-50 years of bad government. To accomplish that, we fired every person in the Department of Interior that was a presidential appointee. I mean we've cleaned every one of them out and then we started appointing good people."—Watt speaking to the Conference of National Park Concessioners Washington, D.C. March 9, 1981.

"We feel that the NRA is representative of the real conservation movement in this country," Watt says in the January issue of "The American Hunter."

Watt also reassured hunters concerned that his pro-development policies might wreck their sport. "When I was growing up in Wyoming," he said, "it was often the timber roads and the mine roads that allowed us to get at the good hunting and fishing areas."—Watt quoted in "Executive Notes," Washington Post, January 21, 1982.

"In a conflict between preservationists and sportsmen, we're going to the sportsmen. We've sent the signals, so if there's to be a wedge driven between the conservation community we'll help drive the wedge."—Interview with Watt. *Field and Stream*, December 1981.

"Watt later told reporters that environmental 'special interest' groups promoting 'frivolous uses' of public land are the ones outside most people's thinking on environmental issues."—St. Louis, UPI, May 11, 1981.

"There was a tendency in the latter part of the 1970s to turn the administration of conservation and environmental laws over to the single purpose groups—to those who saw preservation as their only goal, to those who refused to consider the economic needs of our society, to those who viewed people as an intrusion on nature. . . . It was during this time that the attempt was made to turn Alaska into one huge museum of Natural History."—Watt speaking to the Anchorage Chamber of Commerce. Anchorage, AK. Aug. 10, 1981.

"Wyoming, as well as other states, had just been locked up to economic development and set aside for a few backpackers rather than the rest of us who might want to use a four-wheeler or go horseback riding or develop some energy. . . . America's resources were put here for the enjoyment and use of people, now and in the future, and should not be denied to the people by elitist groups."—Interview with Watt. *Nation's Business*, September 1981.

"What we seek is to move the pendulum from the far extreme of preservationism to the center where we can protect the environment, build our economy and strengthen our national security."—Watt speaking to the National Recreation and Park Association, Minneapolis, MN. Oct. 27, 1981.

"With this Administration came a dedication to a new beginning in stewardship of natural resources—a new beginning which recognizes that stewardship is more than blind commitment to preservation—a new beginning which seeks a common sense balance between development of resources and preservation of resources—a new beginning which encourages rather than hinders the private enterprise system."—Watt speaking to The National Association of Realtors. Miami Beach, FL. Nov. 16, 1981.

III. THE WEST VS. THE EAST OR WATT'S CIVIL WAR

"My thesis is that because of the actions being taken by extremists to delay or stop

the orderly development of energy resources, the nation is likely to suffer energy shortages and thus severe economic hardship.

Hundreds of thousands of jobs, if not millions, will be in jeopardy. When this happens, the politicians in Washington will seize on the crisis and take whatever action is needed to extract energy from the Western states, in order to light and heat the East and to maintain jobs in the Midwest and on the East Coast. . . .

I fear for our ecology in the West and for our lifestyle. When the economic pressures start strangling the Eastern states due to short supplies of energy, their political leadership will come after our resources."—"Scenario for Ravaging the West," by James Watt. *Denver Post*, 1978.

"They'll nationalize the lands to deliver to their Eastern constituents. If the lands are developed by the federal government rather than by the private sector, that will destroy our way of life in the West."—Watt quoted in Pete Hamill's column. *Rocky Mountain News*, Oct. 18, 1981.

"I fear that the Eastern states, the industrial states, will turn on our West to get the energy. I already see it coming in the disguise of the severance tax. You watch that fight grow, and when the Eastern states and the industrial Midwest realize they are losing their economic base and political clout to the Sun Belt and to the West because energy costs there are not rising as fast as in New England and the Midwestern states, they will turn on our Western states and come in on a crash program to develop the coal and other resources. And when they do, the Federal government will come in with a crash program and destroy our ecology."—Interview with Watt. *Field and Stream*, December 1981.●

AN UNNEEDED HORROR

● Mr. PRYOR. Mr. President, I recently wrote President Reagan asking that he not certify the production of binary nerve gas as essential to the Nation's national defense. I cited a number of specific reasons for my opposition to reentering the chemical warfare race and I hope that the Congress will have an opportunity to thoroughly review the issue before any decision is made leading to nerve gas production.

For the purpose of informing my colleagues, I would ask that the January 29, 1982 New York Times article "An Unneeded Horror" by Tom Wicker be printed in the RECORD. It carefully examines the implications of a nerve gas production decision and provides a discussion of the issues that will be useful to every Senator.

The article follows:

[From the New York Times, Jan. 29, 1982]

AN UNNEEDED HORROR

(By Tom Wicker)

President Reagan apparently is ready to notify Congress that he has ordered a multi-billion dollar program to produce binary nerve gas for chemical warfare—the worst possible answer to the Soviet Union's unconscionable "yellow rain."

Ours, after all, is an open society and the Soviet Union's is not. So we will openly proclaim—in the budget and elsewhere—that

we are rebuilding a chemical warfare capacity that we will use if necessary. But the Russians, despite solid evidence that they have developed and used toxic substances for lethal purposes ("yellow rain") in Asia, do not and probably never will admit having done so.

Many will believe them, out of hope and naiveté, and the propaganda advantage will be with the Russians from the beginning. In this case, that's no small matter. Binary nerve gas, like yellow rain, is a horror weapon, effective primarily against civilians. It's lethal within minutes to anyone who breathes it, and capable of poisoning the atmosphere of huge areas for days at a time.

Americans, in fact, will be double propaganda losers in that we will have forfeited the advantage we now should have in the evidence that the Russians are using yellow rain. That evidence should be emphasized by the United States in every way and in every forum possible; so should Moscow's willingness to violate the 1925 Geneva Protocol by which it renounced the use of chemical weapons. Instead, if it develops binary nerve gas itself, the United States will dissipate a sound moral and political position.

In 1969, President Nixon renounced first use of chemical agents and ordered an end to their production. President Ford formally signed the Geneva Protocol—prohibiting use but not possession of chemical weapons—and proposed a world treaty to outlaw chemical warfare.

If Mr. Nixon's order is now reversed, the United States will not literally have violated either the Protocol or his pledge against first use. But with Moscow steadfastly denying any involvement in chemical warfare, many will be only too eager to ask why a nation that dropped the first atomic bomb and spread lethal herbicides in Vietnam and Laos is developing binary nerve gas if it doesn't intend to use it.

The answer, Pentagon officials say, is that if the Russians have chemical weapons we must have them, too, to deter them from their use. But the United States already has ample stocks of older chemical weapons; and this answer raises the military questions whether effective deterrence requires that we match the Russians weapon-for-weapon in every category, or whether the overall deterrent effect of all our military forces is sufficient.

Put it another way: can the Russians' use of chemical warfare be deterred *only* by the threat of chemical warfare turned back against them? Need we sacrifice moral and propaganda advantage, add a new dimension to the superpower arms race and expand the world's inventory of genocidal weapons, all in order to deter the use of yellow rain? Particularly when we already have stockpiles of gas artillery shells?

Richard Halloran of The New York Times reports that the Pentagon regards Europe as the likeliest chemical war battlefield, and plans to stockpile its new gas shells there, perhaps in Britain. But shouldn't we have learned something from the anti-nuclear demonstrations in European cities and from the anti-nuclear attitudes of Governments like those of Belgium and Holland, and of the British Labor Party?

At the root of this rising tide of opinion is the fear—however ill founded—that Europe will be devastated in a superpower nuclear war that would leave the United States and the Soviet Union untouched. Are we now to add to this nightmare the idea that a super-

power chemical war might also be fought in Europe?

If so, European paranoia about American as well as Soviet intentions will be surely heightened, and the stresses that are already wracking the NATO alliance will be increased—also in the name of deterrence.

More than \$2 billion is being projected for producing binary nerve gas in 1983 and 1984, and more will be required later. That money would be far better spent, and achieve more real Western security, if it were devoted instead to research and development of defensive equipment and techniques against yellow rain and other chemical weapons, and if the fruits of that effort were made available to any and all nations feeling themselves threatened by chemical warfare.

That would make it clear who really poses the threat, and who wants to help the world avoid it. So would a determined attempt to negotiate with the Russians and all nations a total renunciation of the use or possession of chemical weapons. But producing those weapons ourselves will divert the world's opprobrium from its proper target in Moscow, while adding one more horror to those that already haunt the future. ●

CRIME AND (NON)PUNISHMENT

● Mr. PELL. Mr. President, for years one of the most unprosecuted crimes in our society has been drunken driving. We have viewed the problem with tolerant indifference, notwithstanding the 25,000 deaths we continue to sustain, year after year, on our Nation's highways. With as many as 6 out of every 10 drivers on Friday and Saturday nights legally intoxicated, it is easy to understand why the number of drunk drivers who ever see the inside of a courtroom is statistically insignificant. And, of those who are arrested, 80 percent or more will receive probation or suspended or deferred sentences.

I have introduced legislation, S. 671, to establish a national "alcohol traffic safety standard." My bill would encourage each State to provide uniform, mandatory penalties for convicted drunken drivers, in addition to emphasizing the need for rehabilitation and treatment for alcoholics and chronic offenders. Recognizing that drunk driving is the major safety problem on our highways, and treating it as a problem that is truly national in scope, is the first step in ending the tolerant indifference that has allowed this carnage to continue for so long. I am pleased that just this week, Senators BAUCUS and HATFIELD have joined in cosponsoring S. 671. Identical legislation is pending in the House, which has the cosponsorship of 110 Members.

The greatest incentive for the Congress to act against drunken driving is the continuing toll this tragedy is extracting from the country's future: Our youth. Although drivers between the ages of 16 and 24 comprise only about 20 percent of all licensed drivers, they account for nearly half of all

alcohol related fatalities on the highways. The February issue of Reader's Digest contains a moving article on the impact of drunk driving on our Nation's young people, and I would like to share this very disturbing account with my colleagues.

Mr. President, I ask that the February 1982 article from Reader's Digest, entitled "Crime and (Non)Punishment, U.S.A.—Drunk Driving: A License To Kill," be reprinted in full in the RECORD at this point:

The article follows:

[From the Reader's Digest, February 1982]

CRIME AND (NON)PUNISHMENT, U.S.A.— DRUNK DRIVING: A LICENSE TO KILL

GAITHERSBURG, MD.—Peter Weiger was a popular highschool sophomore. He was a 4-H Club member and a Boy Scout. He enjoyed parties and girls.

Then one night his parents received the visit that haunts them to this day. Your son, the police officer said, has been hit by a car. A half-hour later he was pronounced dead—the victim of an alcohol-related accident.

The Weigers are angry that what happened to their 16-year-old son has happened to so many thousands of America's sons and daughters. Drunk-driving crashes represent the nation's single greatest killer of people between 16 and 24, and cause nearly half of the nation's highway deaths, according to federal highway-safety authorities.

Over the last decade, more than 250,000 Americans have died because of drunk drivers—more than four times the number of Americans killed during ten years of fighting in the Vietnam war. One of every two Americans will be involved in an alcohol-related auto crash in his or her lifetime.

"The drunk-driving problem in this country has reached epidemic proportions," says John Moulden, a research psychologist with the National Highway Traffic Safety Administration. "It's a national outrage that even when thousands of people are being killed each year by drunk drivers, our society continues to accept drinking and driving as a normal part of daily life."

Peter Weiger was walking down a country road that rainy night when a neighbor in a pickup truck ran over him and kept going. The driver of another car copied the tag number, and the truck's driver was promptly arrested.

According to court records, Edgar Garfield Rogers was allowed to plead guilty to hit-and-run and driving while impaired by alcohol. He was fined \$610.

[From the San Diego Union, February 1982]

DRUNK DRIVING

SAN DIEGO—It was midnight back in Connecticut, but Walter Fitzpatrick couldn't sleep. The person convicted of killing his 19-year-old son and another student at the University of San Diego had been sentenced that day. Before he went to bed, the father wanted to know what that sentence had been.

Told the sentence, Fitzpatrick was silent for a moment. Then he said, "That hurts more than I thought it would."

Jaun Ramirez Acosta, 20, who pleaded no contest to a charge of vehicular manslaughter, received one year in a minimum-security honor camp, a barracks-type facility where there are no armed guards. He would serve only eight months.

Paul Fitzpatrick and Matt Boyd had gone to the university gym to shoot some baskets that Saturday afternoon. The gym was in use, so they left for another facility several blocks away.

Driving a friend's car, Ramirez was racing up the San Diego street at a speed of more than 80 miles per hour. The car struck the youths from behind. Fitzpatrick and Boyd were killed instantly.

Ramirez and three passengers fled the scene. Three and a half hours later, after he was apprehended, a blood test showed him to be legally intoxicated.

Ramirez also had no driver's license—with reason: he was on probation for vehicular hit-and-run driving in an alcohol-related wreck less than two years before. Court records showed his performance while on probation was unsatisfactory. Twice he had been arrested for alcohol-related offenses.

The district attorney's office was unaware of Ramirez's driving record when it entered into a plea-bargain arrangement that resulted in his sentence to the honor camp. His defense attorney said it would not have made any difference. "I've seen a lot of this type of case," he said. "This is a normal result—occasionally one will go to prison, but not often."

[From the Press, February 1982]

DRUNK DRIVING

TRACY, CALIF.—The auto veered off the road, striking bicyclist LeMoin Stille from behind. The victim, a mathematics teacher at Clover Middle School, was thrown 100 feet to the road's gravel shoulder. He died of massive head injuries. The auto's driver did not stop.

When Richard Cagle arrived home, police reports say he was confronted by his wife, who saw the damage to the car. She drove him back to the accident scene. There they were questioned by police.

According to the California Highway Patrol (CHP), Cagle conceded he had been the driver of the car involved in the accident. Tests showed Cagle's blood-alcohol level to be nearly 2½ times the point of legal intoxication. He faced a preliminary hearing in Tracy Municipal Court on charges of felony vehicular manslaughter, felony hit-and-run and felony drunk driving. It wasn't the first time he had been in the Tracy court.

Only two weeks before, he had been convicted of hit-and-run and drunk driving—his fifth drunk-driving conviction in the last seven years—and sentenced to 180 days in jail. The sentence, however, was stayed so that Cagle could attend to some personal matters. Without that postponement he would have gone to jail three days before the fatal crash.

When charges relating to the death of Stille were brought before a Superior Court judge in Stockton, the defendant's lawyer argued that his client's confession occurred before police read him his Miranda right to remain silent. The judge agreed. Evidence provided at the accident scene by the defendant's wife also was disallowed.

There was no witness who could identify Cagle as the driver of the auto that killed Stille. The judge dismissed all charges against him.

"It's one of the frustrating things that happen," CHP Lt. Orval Ellis later would say. "Not many worry about the rights of the victims—just the accused."

A tribute to Stille, who had taken money from his teacher's salary to purchase

weight-lifting equipment for the school, was placed in the Clover yearbook. "There are some people whose absence diminishes all of us permanently; because they are unique they will not come our way again," the tribute reads. "LeMoin Stille was such a person."

[From the Boston Herald American,
February 1982]

DRUNK DRIVING

Wilmington, Mass.—The 17-year-old driver of an automobile in which four teenage girls were killed in a late-night head-on collision had been convicted of drunk driving less than three months before.

Lissa Sweetland, one of the victims of the fatal crash, had been fined \$93.75 and faced revocation of her license after she drove a car into a stone wall in the previous late-night crash. She appealed the drunk-driving conviction, however, and the judge who heard the appeal continued her case without a finding.

The teen-agers were killed when their auto veered into the path of an oncoming station wagon. The station wagon's driver was seriously injured.

Analysis of blood samples of the four girls showed them all to be legally intoxicated, according to a state motor-vehicle official. (The level of alcohol in Lissa Sweetland was placed at .47—nearly five times the point of legal intoxication.)

The medical examiner said that .45 is considered the level at which surgery can be performed without anesthesia.

[From the St. Louis-Dispatch, February 1982]

DRUNK DRIVING

St. Louis.—Lonnie Colyer, as one police officer would say, was a loaded gun the night that he left the suburban tavern to drive to his home. Moments later, his pickup truck veered into an oncoming lane, smashing into a motorcycle. Two teen-agers riding on the cycle were killed.

Colyer was a chronic traffic offender who for many years had slipped through the criminal-justice system. The fatal crash turned out to be his fourth drunk-driving charge in the past year alone. In light of his history, such an accident may have been inevitable.

When the fatal accident occurred, Colyer was awaiting sentencing on one of these drunk-driving charges. His sentencing had been postponed twice while his well-known and high-priced attorney sought to obtain a suspended imposition of sentence. That was a favorite tactic of lawyers representing clients charged with drunk-driving. And they usually succeeded. A Post-Dispatch study of St. Louis County courts showed that in 1979 eight of ten drunk-driving defendants received a suspended imposition of sentence—and walked away with nothing on their driving records to indicate an alcohol-related arrest.

[From the Los Angeles Times, February 1982]

DRUNK DRIVING

WASHINGTON, D.C.—Laura Lamb's expressive blue eyes scanned the cameras and crowd surrounding her. The 16-month-old child will never be able to use her hands or legs. Laura is a quadriplegic for life.

The child was brought to a Capitol Hill hearing room as a symbol of the human suffering caused by repeat-offender drunk drivers—the target of a fledgling national cam-

paign being waged by a Fair Oaks, Calif.-based organization known as Mothers Against Drunk Drivers (MADD.) Laura's mother, Cindi Lamb of Baltimore, Md., and Candy Lightner of Fair Oaks announced that MADD was sponsoring a petition campaign calling for a Presidential commission and federal legislation to effectively reform drunk-driving laws.

Mrs. Lamb recalled the afternoon when she and Laura were driving to the grocery. Their vehicle was struck head-on by a car driven by a man whose traffic record had 25 separate entries, including three arrests for driving while intoxicated.

Mrs. Lightner told how her 13-year-old daughter was struck from behind by a car driven by a man who fled the accident scene—a man who had been released on bail from another hit-and-run drunk-driving accident just two days earlier; a man who still had a valid California driver's license although he had had three drunk-driving arrests in the last four years.

Cari Lightner was walking to a school only a few blocks from her home when she was killed.

Russell J. Newcomer, Jr., on probation for armed robbery at the time of the Lamb accident, pleaded guilty to drunk driving. He was sent to prison for violating probation. A judge added two years for the crash that crippled Laura Lamb.

Clarence William Busch pleaded no contest to felony vehicular manslaughter in the death of Cari Lightner. He was sentenced to two years in prison, though most of his sentence was spent in a community correctional center. The drunk-driving charge pending against Busch when Cari was killed was dismissed as part of a plea-bargain agreement.

While still in custody, Busch was notified by the California Department of Motor Vehicles that he would be eligible for reinstatement of his license once he could show proof of financial responsibility.

STANDING UP FOR FREEDOM

● Mr. DANFORTH. Mr. President, this country's history is filled with stories of gumption and inventiveness in the face of adversity. Last week we commemorated the 100th anniversary of the birth of Franklin Delano Roosevelt, and no one exemplified those qualities more than he did when he was crippled by polio.

I am proud to report, though, that the mold was not broken with F. D. R. Seven years ago, Donald L. Ausmus of Independence, Mo., was similarly struck down. Involved in a motorcycle accident, he was paralyzed from the waist down. But he responded to this tragic blow with courage and creativity. Working in his basement, he invented a device that allowed paraplegics like himself to stand and move about. As a result, he will be honored this weekend by Intellectual Property Owners, Inc., as their Inventor of the Year for 1981.

American ingenuity has been the mainstay of this Nation since the days of Benjamin Franklin. I am delighted to be a cosponsor of Senate Joint Resolution 140, designating February 11, 1982, as "National Inventors' Day," and I am proud to claim Donald Ausmus as one of my constituents.

I ask that an article about Mr. Ausmus that appeared in yesterday's Kansas City Times, entitled "Standing up for Freedom," be printed in the RECORD.

The article follows:

STANDING UP FOR FREEDOM

(By Mack Alexander)

Three years ago Hilda Stokes stood up for the first time in eight years to cook. Mike Evans, paralyzed from the waist down, remodeled his kitchen.

Both victims of auto accidents, they had given up all hope of ever again hanging up their own clothing, straightening a picture on the wall or picking up something from the floor.

But a device invented by an Independence man, paralyzed from the waist down for seven years, freed the two paraplegics from their wheelchairs.

The inventor, Donald L. Ausmus, has been named Inventor of the Year for 1981. He will be honored this weekend in Washington in conjunction with National Inventor's Day on Sunday at the U.S. Patent and Trademark Office.

Mr. Ausmus will be the 10th recipient of the award given by Intellectual Property Owners Inc., a 10-year-old non-profit trade association representing people and corporations holding patents. The trade association will introduce the La Plata, Mo., native and his invention to the press Friday in Washington.

Mr. Ausmus said the device, dubbed the Moto-Stand because it allows paralyzed people to stand and move about, is his legs on wheels, something the former mechanic has needed since May 4, 1975, when his motorcycle crashed in a dirt-bike race.

Mr. Ausmus' motorcycle injured his spinal cord, ending his hobby of racing cars, boats and motorcycles. Mr. Ausmus, the father of two teen-age daughters, was paralyzed from the chest down. Although he knew he would not walk again, he did not want to spend his life in a wheelchair.

"I had been a mechanic since I was 10 years old," he said. "I had a shop in my basement. I wanted to do the things I had been able to do. I wanted to stand up again."

Mr. Ausmus, a high school graduate, came to Independence in 1963 and took a job at a trucking firm. During work breaks, he said, he and his buddies would race in two-wheel, upright dollies used for carting heavy boxes. The races gave him the idea of putting a motor on a dolly and strapping himself standing up in it.

Three months later he had built a prototype, and he took it to the Rehabilitation Institute of Kansas City to demonstrate it. A 20-year-old paraplegic asked to try it, Mr. Ausmus said.

"I did it really because I wanted to get to stand on my feet again," he said. "But when this boy stood up on it, he started to cry. I saw this boy cry. It made me feel great. I knew how he felt. I knew how happy he was."

"That's when I realized that I could be able to help other people by making this thing better."

The device proved very popular. People began asking him to build one for them, Mr. Ausmus said. He built five in his basement, making improvements with each. But they became more expensive, he said. The first one cost about \$850 and the fifth cost about \$1,300.

Because he was losing money, Mr. Ausmus said, he looked for a manufacturer. Several national firms expressed interest, he said, but none decided to manufacture it.

Last year he was contacted by Larry Lynch, marketing representative for The Advanced Technology Corp., a Kansas City firm started last year to manufacture Moto-Stand, he said. The firm has dealers in 15 states and can manufacture 30 stands a month, Mr. Lynch said. He put the retail cost at about \$3,100.

Mr. Ausmus' device is 44 inches tall, weighs 130 pounds, stands on three wheels and comes equipped with two forward speeds and reverse. It's battery powered and turns in a circle. Its 36-inch turning radius allows it to be maneuvered around tight corners. Of slim design, it scoots easily through doors. Some models lean forward.

"I can wash dishes, do all kinds of domestic chores," Mr. Evans, 33, said. "It's a good invention for people who want to be able to do things they used to do. I plan to put in all new waterlines this spring."

"It's terrific to be able to stand up," Mrs. Stokes, 69, said. "I can fool around in my apartment. I can reach things I can't reach from my wheelchair. It's really a godsend."

Sandy Martin, director of physical therapy at the Rehabilitation Institute, said, Mr. Ausmus' device is unique in the freedom it gives to severely disabled people. It provides an emotional and psychological lift to the handicapped and improves their chances for employment, she said.

"Emotionally, it helps a great deal," Mrs. Stokes said. "It gives you a feeling of independence when you can move around and do things for yourself. It's hard trying to prepare a meal from a wheelchair. I burned myself twice trying to do it."

Mrs. Martin said the device requires far less exertion than heavy leg braces and crutches.

"If I had to do without it now," Mr. Ausmus said, "it would be like taking away my legs again." ●

THE TRAGIC SITUATION IN EL SALVADOR

● Mr. PELL. Mr. President, almost every day there are press reports of murders and other atrocities being committed against civilians in El Salvador. It is particularly distressing that so many of these reports involve accounts of violent acts being perpetrated by Salvadoran security forces against their own civilian population.

El Salvador is experiencing a bloody civil war that could eventually lead to a Communist takeover. If that happens, it is likely that basic human rights will be brutally repressed, and El Salvador could serve as the base for a poisonous infection spreading throughout Central America. Ironically, continued acts of violence by Salvadoran security forces could contribute to the very result that none of the non-Communist elements in El Salvador want. If the people of El Salvador conclude that their principal oppressor is the current military-dominated junta, they may throw caution to the wind and cast their lot with the guerrilla forces.

That is why I recently joined in sponsoring an amendment to the for-

eign assistance authorization act prohibiting further military assistance to the Government of El Salvador unless the President certifies that the Government of El Salvador is undertaking various reforms including "achieving substantial control over all elements of its own armed forces, so as to bring to an end the indiscriminate torture and murder of Salvadoran citizens." The purpose of this certification was twofold: First, it was intended to help President Duarte accomplish the reforms to which he has stated he is committed; and second, it was intended to strengthen President Reagan's hand in influencing events in El Salvador.

On January 29, President Reagan certified that the Government of El Salvador was taking the steps stipulated in the Foreign Assistance Act. On February 1, during a Foreign Relations Committee hearing on elections in Central America, Assistant Secretary of State Thomas Enders commented on the President's certification and reported that the administration intends to increase the level of military assistance to El Salvador. The committee, on February 8, will hold a hearing devoted solely to examining the President's certification.

That hearing will provide an opportunity for the committee to look carefully at the administration's justification for continuing a military assistance relationship with El Salvador and for increasing the current level of arms being sent to that country. That justification will have to be studied carefully in light of recent press reports on atrocities committed by Salvadoran security forces and in light of assertions by the American Civil Liberties Union and the American Watch Committee that there is a pattern of "systematic murder, torture, and arbitrary arrests" by government security forces.

Any major foreign policy initiative in order to be successful must have the confidence and support of the American people. The administration proposes to increase our involvement in support of the Salvadoran military junta, and it is therefore important to get at the truth as to just what kind of government the junta is and whether it has any significant support among the Salvadoran people. If we do not get good answers to those questions, I doubt that the American people will support closer military ties to the Salvadoran junta.

I have always been troubled by the administration's emphasis on throwing weapons at what are basically political, economic, and social problems in El Salvador. Moreover, I fear that by increasing the level of military assistance to El Salvador we are running the risk of causing the military officers who dominate the governing junta to conclude that they do not

have to do anything further to stop the violence against their own people.

America has a role to play in bringing peace and needed reforms to El Salvador, but we must be certain that by stepping up military aid we are really contributing to the achievement of those objectives. We do not want a Communist takeover; but we also do not, I hope, wish to be the arsenal of right-wing oppression. ●

BATH IRON WORKS

● Mr. COHEN. Mr. President, although the description "Bath-built" has long been equated with excellence and dependability in the shipbuilding industry, the Bath Iron Works has followed a rather stormy course on its way to making Maine the shipbuilding capital of the world.

I have seen no better account of BIW's century-long, "see-saw" history, than the following article in *Down East Magazine*, written by well-known Maine author and columnist John N. Cole. I submit to my colleagues and for the *RECORD* this story of how BIW overcame the handicaps of location, size, and a "roller-coaster" financial history to become an invaluable asset to Maine and the country.

The material follows:

[From *Down East Magazine*]

TOUR DE FORCE ON THE KENNEBEC

(By John N. Cole)

It was impossible to see the black waves rising against the black sky of a stormy night in late November, but on the bridge of the trawler 400 miles at sea the first mate at the helm and a passenger beside him knew the North Atlantic was in turmoil.

One minute they braced to maintain their balance as the ship reared on the foamy shoulders of an oceanic swell, then shuddered at the peak of the twenty-foot sea, weightless for the instant before she pivoted into the waiting trough. In their guts, the two men could feel the split second when gravity gave way, and they hung on, knowing what came next.

As the ship careened into the trough and met the sea head on, her bow plates boomed like a steel drum, the sound resounding through the vessel. The ship's riveted skin buckled ever so slightly, the stress could be felt the length of her keel as if a giant sledge had struck deep belowdecks.

Then came the pause, the wait for the ship to reassert herself, to regain control, to push herself from the valley, to climb the next sea.

That was the longest moment—when anxiety flashed its signals of momentary alarm and the passenger supposed the ship could crack like a walnut shell against the chill Atlantic.

Sensing the tension, the mate tapped a brass plate on the binnacle. "Don't worry," he said, "she's Bath built. She won't have any trouble with this blow, even if she is a bit past her prime."

Bending to scrutinize the plate in the dim light of the pilothouse, the passenger could read: "MV Delaware—Bath Iron Works—1937." More than a quarter-century had passed since the *Delaware* went down the

way and into the Kennebec River. Since then, she had done her work as a trawler for her first owners, Boston's Booth fisheries, and ten years later had been transferred to the U.S. Fisheries and Wildlife Service as a gear research vessel operating out of Gloucester, Massachusetts. It was from that doughty New England port that she had sailed on this November mission off Newfoundland to search for swordfish along the Gulf Stream's thermocline. And it was from that stormy location that the 146-footer would return without incident and as usual to her homeport in time for Thanksgiving.

That dark night in the *Delaware's* pilot-house was the passenger's introduction to the confidence inspired by the Bath Iron Works nameplate on a vessel, and he was surprised by the genuine reassurance the bit of brass provided. The mate sounded absolutely convinced that no trouble could come to a Bath-built ship, and his confidence was pervasive. The rest of the long night was less awesome, and when dawn broke and the wind eased off, the ship seemed so solid and seaworthy that the passenger wondered how he could have let the doubts of darkness get their grip.

During the past ninety years more than 350 vessels have worn the Bath Iron Works insignia, and, as the decades rolled by, the legend of quality, of invincibility, continued to thrive. Through two world wars, Korea, and Vietnam, and through nearly a century of growth for the nation's commercial fishing and transport fleet, the name of the small Maine town on the Kennebec became a maritime marque as trusted by mariners as any that has ever put to sea.

This, when the history of the shipyard is reviewed, is nothing less than a miracle. For just as the *Delaware* on the dark night in the North Atlantic appeared to be trapped beyond recovery in the trough of those cold November seas, so, too, has the Bath Iron Works often appeared so awash in oceans of red ink, red tape, and bad debts that nothing but a miracle could save it from sinking.

Yet today, almost a century after BIW Hull Number One went down the ways, yet another dawn has broken for Maine's premier industry, and those who were so anxious about the yard's future just a few years ago now wonder how they could have doubted its ability to recover.

It's been that way since the yard's improbable beginnings. Not that shipbuilding hasn't been a way of life along the Kennebec for more than three centuries—ever since America's first ship was built at Popham in 1607. But that was a wooden ship, and so was every other one of the thousands of vessels built by Maine men and sailed by Maine skippers from every harbor from Kittery to Machias until the end of the nineteenth century and the last of the clipper ships and coasting schooners.

There were formidable reasons for the state's shipbuilding supremacy. They grew on every slope that rolled inland from the surging sea: tall pine, mighty spruce, sinewed oak—the raw materials from which every great ship was once made. Maine's granite shoulders wore capes of the tallest trees, and when they fell, they could be rolled to hundreds of sheltered, deepwater harbors along the convoluted, 3,500-mile coast. No other state in this booming nation could boast of the combined resources that made Maine the shipbuilding capital of the world.

Until steel. Even though some shipyards persisted long after the Industrial Revolution had been won in the blast furnaces and

coal mines of Pennsylvania, an era had ended. Maine's forests and her harbors were grudgingly converted to pulp production and the lobster fishery. What else could the future hold for a shipbuilding site that suddenly found itself the furthest from its raw materials instead of the closest to them? It would take nothing less than a tour de force to maintain shipbuilding on any industrial scale, and such an effort would require the ultimate in stubborn conviction and good luck. After all, what else could sustain a shipyard in a state that had no real reason but memories to sustain one?

Like the *Delaware* at the peak of a sea, the first Bath Iron Works, created from the zeal of General Thomas S. Hyde's visions for Bath, was poised on the brink of disaster the moment it was born in 1884 with \$100,000 of Hyde's capital. "The enterprise of a small number of men," he had told the people of Bath in 1881, "keeps this city alive." Then he went out and proved that of that small number, he was certainly the most enterprising.

No compilation of facts could keep Hyde from his vision of Bath's successful transition from wooden to steel ships. No contemplation of the difficulties of casting steel plates in Scranton and Dayton for fabrication a thousand miles from the furnaces could turn him from his single-minded pursuit. And neither could the disastrous fire of 1893 which destroyed his Iron Works three years after its first ship had been launched. Even though he was offered more efficient and economical space for rebuilding in New London (1,200 feet of waterfront at a dollar a year), Hyde rebuilt the Bath yard from the ashes and launched the largest, most luxurious yacht of her day, the *Eleanor*, a year after the fire.

Less than a decade after Hyde had revived a burned-out yard with the breath of his unique enthusiasm, General Hyde's son John, who had taken over after his father had died in 1900, watched the last ship for which the yard had a contract slide down the ways. In a few months, the facilities were sold to a New Yorker, but remained vacant. Two months later, John Hyde bought them back and a month after that had a navy contract for a scout cruiser named the *Chester*. It was that single ship that sustained the facility long enough to see red ink turn to black, and to keep 600 men employed for three years.

Although the Bath Iron Works was less than thirty years old in 1910, it had been burned down once, closed, bought by an out-of-state entrepreneur, closed, purchased by a Maine man, and reopened.

Like a ship at sea on a stormy night, the yard was on the crest one year, in the deepest trough the next. Yet, somehow, the tour de force was maintained. And more. As the years went by, the Bath-built emblem began to acquire its reputation for quality, endurance, and dependability. In spite of the convoluted troubles of capitalization and navy contracts, the small shipyard in Maine seemed to be able consistently to turn out ships that set the standard. An Iron Works aura began to gleam; an Iron Works mystique acquired its initial tenuous presence.

But at the Iron Works, troubles continued. In 1925, eight years after John Hyde's death and seven years after the armistice that ended World War I and more contracts from the U.S. Navy, the Iron Works went broke, shut its doors, was sold into receivership and was scheduled to become a manufacturing facility for paper pie plates.

But, at the last moment, yet another master of the tour de force came to the

rescue, changing the yard's future and Maine's.

He was William Stark Newell, known to everyone in Bath as Pete—a Yankee son of a Yankee father, an MIT graduate, and a man with a particular and positive belief in the future of the Bath Iron Works. In 1927, the year after the ghost of what General Hyde had foreseen had folded and was about to become a pieplate assembly line, Pete Newell, with the help of Walter Wyman, head of Central Maine Power Company, and a few other intrepid investors, bought the Iron Works at auction and began the inch-by-inch process of acquiring new contracts, rebuilding the stripped plant, and reconstituting a skilled labor pool that had been dispersed for several years.

"I well remember," purchasing agent Dayton Hill later told a journalist, "how the first office was set up there in 1927. The secretary had a secondhand typewriter on a homemade table and used a nail keg as her office chair."

Five years later, after a low-ebb in navy contracts aggravated by the arms control clauses of the Geneva Accords, it looked as if that office furniture might reappear. In the 1933 wave of bank closings, the Hariman National Bank folded, taking with it a large chunk of Iron Works stock. As BIW's traditional luck would have it, however, the stock, when it came on the liquidator's block, was purchased by Ross W. Judson, a Detroit auto tycoon who had once purchased an Iron Works yacht. He returned the stock to Pete Newell on the condition that he continue to manage the company in which Judson already held considerable shares. Shortly after, Newell landed contracts for three navy destroyers—the *Dewey*, *Drayton*, and *Lamson*—ships that allowed the yard to begin its long climb from the deepest financial trough it had gotten into since the *Chester* showed up in the nick of time thirty-two years before.

With those three ships on its ways, the Iron Works held on to build yachts and trawlers (like the *Delaware*) until the shadows of Nazi Germany and World War II spanned the Atlantic and the navy rushed to make up for what had been its leanest years. During the war that followed, the Iron Works sent an incredible eighty-two destroyers down its ways—nineteen more than were built in the entire Japanese nation during the same four years. Many of those destroyers seemed to lead charmed lives, and those that did suffer punishment came through better than other ships in the navy. Once again, the Bath legend was enhanced; once again, the yard that logic said should never have been built in the first place acquired new luster, even more mystique.

Nevertheless, almost in concert with the rise in its prestige, the Iron Works slid into still another trough. From a high of 12,000 employees at the yard in 1943, the work force plummeted to less than 300 in 1947. The boom-or-bust cycles that had plagued the little-yard-that-could for a half-century seemed determined to continue their relentless stress—a trend maintained in startling counterpoint to the Iron Works' ever ascending reputation for excellence, contract compliance, quality control, and economy. The total contract dollars saved at BIW because ships were delivered early and below cost limits would run into the hundreds of millions, yet the skeleton crews who showed up to work on Major Max Fleischmann's yacht *Haida* in 1946 wondered what they would do when she was finished. Mean-

while, BIW management went to the bank to negotiate another loan, and to Washington to try for what few navy contracts would be let.

Under the leadership of John R. Newell, Pete's son, the Iron Works persisted, but did not thrive, until 1965 when John Newell retired. James Goodrich was named his successor, and a man named William Kyle put BIW on a list of acquisitions he planned to fold into a conglomerate he was building. Kyle got the stock he wanted, took over the Iron Works in 1967, moved it under the conglomerate umbrella of the Congoleum Corporation (which now has its headquarters in Portsmouth, New Hampshire), kicked Goodrich upstairs, and installed John F. Sullivan as BIW president with instructions that unless the yard stopped losing money, it would be closed.

According to its incredible seesaw history, the Iron Works should have shut down, only to be reopened by yet another knight on a white horse. And that moment came close. In 1974, BIW lost \$11 million; by '75 the slide had been stopped and a small profit was recorded. In the year that made the difference, Sullivan had been within a micrometer of ordering the place out of business.

With gathering momentum, a succession of good years that continues to this day were to vindicate his judgement.

The Iron Works launched itself into an era of unprecedented efficiency and prosperity. By 1977, the Iron Works division of Congoleum produced a \$10 million profit on \$167 million worth of contracts. In 1978, the profit numbers were close to \$20 million, and that was the last year they were to become public. The following year, a private investment group, which included several Congoleum principals, bought in the outstanding public shares. Annual reports are no longer published and profit-and-loss statements no longer issued.

There is, however, little doubt that the Iron Works is doing well—better than ever; in fact, better than General Hyde or Pete Newell ever dreamed it would do.

In a talk to the Brunswick Rotary club last March, John Sullivan, now chairman of the board, told area business people that the Iron Works "... is on the crest of a \$757 million backlog in new construction, with nearly 6,200 Maine men and women on the payroll, and more on the way. Since 1976," he continued, "the Bath Iron Works has been transformed from a sickly shipyard in deep financial trouble to the healthiest in the United States, a yard envied for its performance in delivering quality ships ahead of schedule and below contract costs." By the end of 1981, the new construction backlog had nudged the billion-dollar mark, and the employment roster stood at 6,700.

The Iron Works "on the crest..." That's a familiar image to those who have traced the yard's heaving history. As is the reputation for quality performance that Sullivan highlighted. What he did not underscore is the Iron Works' propensity for maintaining its superb production reputation while its finances surge to the crests and then drop to the troughs with shattering vibrations that shake the foundation of the enterprise.

It is an odd, contrapuntal cycle that has taken the Iron Works through the past eighty-seven years, and, even in the wake of Sullivan's well-founded enthusiasms, anyone familiar with that history might tend to view the yard's future with an eye peeled for the unexpected.

But when, if they do, it will be difficult to deny that an end to the BIW storms seems to be in sight. The current economic health of the state's number-one employer (and at the highest wages) appears by every objective judgment to be the true dawn of a calmer day, not a false one. In the next decade, according to every projection, the stormy financial seas that historically have plunged the Iron Works from the top of a wave of activity to a trough of layoffs and plant closings—and, in some cases, liquidation—seem at last to be at peace. There is a backlog of high-priced work; there is a diversity of projects, from navy guided-missile frigates to ship overhauls and the construction of more commercial ships; there is even a newly expanded industrial-engineering and design-consulting division. And there is the Reagan Administration with its emphasis on the complete modernization of the "new" two-ocean navy. In keeping with that purpose, the Iron Works has contracts for twelve more guided-missile frigates—in addition to the nine it has delivered since turning over the USS *Oliver Hazard Perry* to the navy in late 1977. There is also a drawerful of contracts to recondition navy ships already wearing the BIW medallion. And as 1981 drew to a close, word from Washington arrived that the Kennebec yard was being considered as a prime contractor for construction of the billion-dollar "Aegis" cruisers, one of the U.S. Navy's most sophisticated new guided-missile and command warships.

There is a vast change in the complexity of the work the Iron Works does today compared to the techniques used in the roller-coaster decades of Hyde and Newell. In one sense, the business of shipbuilding has gotten so complex that any yard which learns to build a contemporary vessel well has an edge on staying in business. There just aren't that many other facilities that can duplicate what they've learned to do at BIW.

Most of the 10 million summer visitors to Maine who cross the Kennebec on the Carleton Bridge turn their heads to gaze at the most visible evidence of this new technology. In addition to the gray hulls of sleek missile frigates and destroyers that are docked almost below the bridge just to the south, there is the towering neck of what appears to be a huge white and orange steel dinosaur arching over the vast, blank-walled buildings in the yard.

What those visitors are gazing at is Crane Number 11, the tallest crane in the Western Hemisphere, a \$4 million mechanical marvel that reaches almost 400 feet above the yard and glides back and forth on its tracks as easily as a polishing cloth slips across a fine table. Up in his cab, Lloyd Merrill looks down on a miniature scene with tiny workers in tin helmets moving across and along a maze of machinery while hundreds of them cluster around each of the modular units that will be preconstructed and then joined to become a total ship, fitted with most of the internal machinery she will need.

The crane is an integral part of the ship construction systems that are the keystone of the Iron Works' most recent surge to the crest. What goes on below, in the yard, is a sophisticated, computerized version of what used to be done by individual riveters and burners in Pete Newell's day. Now the machines that make the cuts are precise and complex. Electricians work for several months to install the cascade of tiny wires that flows like a waterfall from the computers aboard today's frigates. Piping, ladders,

ventilators, power trains, communications systems, and every structural element of every modular unit must fit with absolute precision when it is joined to its predestined mate.

There are sixteen of these modules in the new navy frigates that the Iron Works' crews are currently building. When one of the units, which can weigh as much as 220 tons, is complete, when it's been given its computerized checks for the precision of its dimensions, Lloyd Merrill makes his moves. Listening to the instruction crackling over the radio in the crane's control cab, nudging gently at the array of levers in front of him, he moves his gliding monster to pick up an entire unit—one-sixteenth of one of the U.S. Navy's most complex and sophisticated attack weapons—and lowers it as gently as a thin-shelled egg to its predestined position on the Iron Works' way where it will be joined to its mated module.

For a merchant ship, a large cargo vessel, up to 100 units will have to be lifted. But the process for each is essentially the same; precise, painstaking, and so advanced that there are only a few places in the world capable of the planning, the quality control that assures the Iron Works managers and foremen that each assembled and outfitted unit will align perfectly when it is joined to become a ship—a ship of such complexity that few of the 10 million tourists who turn their heads to look at Number 11 could comprehend even the most fundamental technologies that must be employed in its construction.

Yet, because its survival was at stake, the Iron Works learned and then developed the modular process. It is now equipped and staffed to do the best job of unitized shipbuilding that's being done anywhere in the nation. And this tour de force, this mastery, this unique ability is what gives the yard its reason for being. The skills employed, the crews who do the work, the techniques invented—these are the engines that have powered the yard from the trough and put it on the crest. By its own bootstraps, Bath Iron Works has overcome the handicaps of its remote location, the relative smallness of its ways, and a roller-coaster financial history.

This never could have happened, according to every knowledgeable observer, if it hadn't been for the foundation of skilled Maine workers that has been the sustenance of the yard since General Hyde took Kennebec craftsmen from the wooden ships they fashioned so superbly and taught them how to apply the same concern for quality to ships of steel. Over the years, the riveters, the crane men, the frame benders, the burners, the pipe fitters, the caulkers, the welders, chippers, sandblasters, machinists, and an array of additional shipfitters with scores of various skills have developed a reputation for dependability, for staying on the job, for making the Iron Works their total career.

During the Second World War an Iron Works riveter named Henry J. Dionne captured the world's record for driving three-quarter-inch rivets (3,476 rivets driven in an eight-hour day). It was that sort of spirit that inspired the Maine women who flocked to the yard in those days to become riveters and welders and set the standards for the yard's policy of equal pay for equal work that applies to the women who work there today, welding and riveting and pipe fitting alongside the men.

It was during those war years that Arthur Hummer of Brunswick went to work as a

burner, cutting steel plates with a torch. Twenty-five years later, he retired to the tidy clapboard house in the pines near Middle Bay—a house that sails in a sea of flower and vegetable gardens that Arthur tends every day with hands gnarled and scarred by a quarter-century of handling hot steel. He is a gentle person, not the stereotypical hard hat, a man whose voice must be listened for and whose shyness is always a presence.

"A shipyard is a hard place to work," he says, leaning to trim one of the hundreds of gladioli that march in colorful rows along one of his gardens. "It gets awful hot inside those steel ships in the summer. You can't touch the plates with your hands, and they'll stay that hot for days. Rain is the only thing that'll cool them off."

"Still, the Iron Works pays the best wages, always has. That's why so many Maine people stick with it. They know there's no better jobs close by. They'd have to leave the state to find a better one, and most Maine people don't want to have to do that."

"That's why the work crew at the Iron Works is a good one. It's the men, you know, that make the place what it is. Some of those fellows have been there all their working lives. You know Foster King, over on the Old Bath Road? He started there when he was eighteen, worked until he was sixty-five. I'll bet that when he left he could have taken a couple of other men and built a whole destroyer by himself."

"It's that kind of thing that has the yard turning out ships on time, below cost. There's such a low turnover. Now you know the longer a fellow stays on the job, the faster he's going to figure out how to save time doing what he's doing. You get a bunch of men learning how to do their jobs better and faster and it makes a difference, I'll tell you."

What Arthur Hummer learned on the job, others have seen from other perspectives, yet produced the same conclusions. At Litton Industries shipyard in Mississippi, for example, work-force turnover averages 30 percent; at BIW in 1977, it was 1.1 percent.

Speaking at the August, 1980, launching of the frigate *Jack Williams*, Navy Rear Admiral Edward J. Otth took note of the workers who had built the ship, and delivered two more like her ahead of time and \$22 million under cost.

"It is fitting," the admiral said, "to give special mention to the workers of Bath Iron Works. Without your skill, devotion to excellence, and productivity, the navy would be hard pressed."

"We salute you for all you've accomplished here, but especially for the care with which you build and repair our ships. Those who fear for the productive efficiency of industrial America can take comfort by visiting Bath."

"As the *Jack Williams* is about to meet the elements, we can be supremely confident that she will be a distinguished addition to the United States' fleet. You ask, 'Why?' The reason is simple. She's a Bath-built ship."

Less than a year later, the Iron Works appeared to fulfill the admiral's praise when it announced plans for a \$45.7 million facility on the Portland waterfront. The adjunct yard will have a huge floating drydock which can handle the overhaul and refitting of ships too large to navigate the Kennebec. An estimated 1,000 shipyard jobs will be created once the facility is completed in 1983, an eventuality that was made certain last

fall when Maine voters approved the issuance of \$30 million of state and city bonds to help finance the expansion.

Nearly forty years before, during those wartime days when the Iron Works employed 12,000 Maine men and women, it had an auxiliary yard in South Portland. That was closed quickly as the postwar work force shrank to less than 300 and the Iron Works slid into another of its troughs. When the next trough will come along, or if another ever will, is not a matter of immediate concern in Maine today, however. Today, BIW is on the crest, and the ships that slide down its ways and glide down the Kennebec are following a familiar course sailed by hundreds of vessels during the past ninety years.

Now that the good times are here, the best of those ships are recalled with fondness and reverence, each taking its turn past the buoys, islands, shoals, and shores that mark the Kennebec's tumble to the sea.

Off the ways and past the Long Reach that runs from the Iron Works to Fiddler's Reach sail yachts like Morgan's *Corsair*, Vanderbilt's *Ranger*, Chisolm's *Aras*, Payne's *Aphrodite*, and Pynchon's *Defiance*.

Around the corner at Doubling Point and south to Ram Island come the famous four-stackers built to help win World War I—the *Davis*, the *Allen*, the *Manley*, the *Wickes*, and the *Hale*, ships that survived to fight for Britain more than two decades later in yet another global conflict.

Past Goat Island, just off the pristine white steeple at Phippsburg, and on to Perkins Island and beyond, steam the ram *Katahdin*, the battleship *Georgia*, the cruiser *Chester*, and the PT810—the prototypes and experimental ships that made a history all their own.

And there, surging past Fort Popham on the west and Gilbert Head on the east come all the eighty-two destroyers that helped turn the tide on two oceans in the years after Pearl Harbor—Bath-built, every one.

Out past Sequin, in the open ocean now, the *Delaware* is underway again, rising and falling on the gentle seas. She's in smooth waters, not the dark swells of that dark night in November when she rose and tumbled from crest to trough like the yard that built her, riding out the storm. That was the night I knelt in her pilothouse to read the brass plate on her binnacle and learned firsthand what the words "Bath-built" can mean to sailors everywhere.●

THE BOOKBURNERS MEET THEIR MATCH

● Mr. KENNEDY. Mr. President, one of the best things about American freedom is the way our liberties are constantly revitalized by the victories of uncommon heroes on uncommon battlegrounds.

The latest victory took place yesterday at a student assembly in Girard High School, a few miles from the city of Erie, Pa. The community had become embroiled in controversy over an effort to ban Studs Terkel's book, "Working," from the school.

In many other towns across America, other books are under similar siege today, as the bookburners of the New Right defy the Constitution and seek to impose their ideology of censorship on their fellow citizens.

But in Girard, a courageous high school English teacher and his equally courageous principal took a stand. They invited Mr. Terkel to visit the school and defend his book. According to press accounts, the bookburners were routed in an overwhelming display of support by the school and the student body for Mr. Terkel and his book.

In these difficult days of concern over repression in Poland and escalating violence and massacres in El Salvador, it is heartening to read of this example of the way the freedoms won two centuries ago in America are renewed in our own generation. And it is perhaps poetic justice—in this time of concern across the United States over the deteriorating economy and rising unemployment—that the instrument of vindication in this case is an author whose book is titled "Working."

Mr. President, I ask that an article from today's New York Times describing this confrontation with the bookburners may be printed in the RECORD.

The article follows:

[From the New York Times, Feb. 3, 1982]

TERKEL FINDS 'HEROES' IN BOOK PROTEST

(By William Robbins)

GIRARD, Pa., Feb. 2.—Studs Terkel, author of several best-selling books, came here today to defend one of his works against a book-banning movement and captured a school.

The short, vibrant, voluble, 69-year-old author pleaded his case at the Girard High School in the low and warm tones of a suitor, and the 650-member student body twice gave him standing ovations. "I am deeply moved," he said.

Mr. Terkel, invited here by a determined teacher backed by an equally firm school principal, spoke in the afternoon after spending the morning talking to class after class about academic freedom and the meaning of his work.

The focal point of the controversy was his book "Working," which was based on recorded interviews with dozens of working people describing their jobs and their lives. Their words were almost simple, often eloquent and sometimes profane.

UPROAR OVER PROFANITY

It was that profanity that stirred dispute, after the book had been in use in English classes for senior vocational students here for about seven years.

About a week ago, in this town of about 2,500 people in the center of a mixed agricultural and industrial area 20 miles from Erie, 30 parents appeared at a school board meeting to protest the use of the book. They were led by Linda Burns, the mother of a student in a senior English class. At about the same time one class of eight students refused to read the book. No other students have protested.

"We strongly object to profanity in the book and fear that students will receive a distorted view of the working world by reading it," Mrs. Burns said later.

Saying that she strongly opposed the work as required reading and would like to see it "banned from the district," she added, "It's bad enough that it's in the library."

AUTHOR SEES "EXQUISITE IRONY"

Before his arrival here, Mr. Terkel remarked, referring to the protesters, "The exquisite irony is that they are the heroes and heroines of this book."

Said Jan Calhoun, the school district's acting Superintendent: "He's on the spot. They want to hear his defense."

Robert Burns, the bearded 18-year-old son of the protest leader, remained unmoved after meeting Mr. Terkel in class: "I think he's good with his words, but he didn't convince me." He said he was receiving failing grades for each day he continued to refuse to read the book.

If the school board orders the book out of the class, Walter Blucas, the high school principal, said today, "I would have to make a very serious professional decision." He added, "Right now, I don't feel like backing down."

Asked today what effect the controversy might have on sales of "Working," which is now available in most stores only in its paperback edition, he said: "Oh, I don't think it will have any. You know it's been out so long." The book was first published in 1973.

But local bookstores reported numerous calls of book seekers and a shortage of copies.

Mr. Terkel planned to return to the school tonight to plead his case at a closed meeting of the educational committee of the school board. He was to be accompanied by the teacher, Kay Nichols, and a representative of the Pennsylvania Federation of Teachers, which has an academic freedom clause in its contract here.

The highlight of the day was the student assembly meeting, addressed by Mr. Terkel, at which the only vocal critics in evidence were Robert Burns and a classmate, James Richardson.

A STUDENT'S APOLOGY

One student who had been among the protesters arose to say he had changed his mind. He had been convinced that the message of the book was more important than the type of words used, he said, adding: "I thought I owed you an apology."

The remark brought deafening applause, and Mr. Terkel said softly, "Now I know why I came to Girard."

Challenged by Mr. Richardson to read aloud one of the passages upon which the dispute has focused, Mr. Terkel opened a paperbacked volume and began, leaving blanks for obscenities that were obvious to his audience. It was a passage of words from a Brooklyn firefighter named Tom Patrick, and Mr. Terkel said it summed up much on the meaning of his work.

It would not have been the same, he said, if Mr. Patrick had said "the world is all fouled up."

Inspiring a final ovation, Mr. Terkel, still speaking softly, told the students, "I hope you have a long, decent life, work hard—and read."●

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ABDNOR). Without objection, it is so ordered.

RECORD OPEN UNTIL 4:30 P.M.
TODAY

Mr. BAKER. Mr. President, I ask unanimous consent that the RECORD remain open until the hour of 4:30 p.m. for the introduction of bills, resolutions, and statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE RECOGNITION
OF SENATOR BUMPERS ON TO-
MORROW

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the distinguished junior Senator from Texas (Mr. BENTSEN) under a special order on tomorrow, the distinguished Senator from Arkansas (Mr. BUMPERS) be recognized for not to exceed 15 minutes under a special order.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT
10 A.M.

Mr. BAKER. Mr. President, I know of no further business to come before the Senate. I will inquire of the distinguished acting minority leader if he has any further business to come before the Senate today.

Mr. FORD. Mr. President, this side has no further business.

Mr. BAKER. I thank the distinguished acting minority leader.

Mr. President, I move, in accordance with the order previously entered, that the Senate now stand in recess until the hour of 10 a.m. on tomorrow.

The motion was agreed to and, at 3:15 p.m., the Senate recessed, to reconvene on Thursday, February 4, 1982, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 3, 1982:

DEPARTMENT OF COMMERCE

James W. Winchester, of Mississippi, to be Associate Administrator of the National Oceanic and Atmospheric Administration, vice George S. Benton, resigned.

U.S. SYNTHETIC FUELS CORPORATION

Samuel Kenric Lessey, Jr., of New Hampshire, to be Inspector General of the U.S. Synthetic Fuels Corporation for a term of 7 years (new position).

Robert W. Gambino, of Virginia, to be Deputy Inspector General of the U.S. Synthetic Fuels Corporation for a term of 7 years (new position).

IN THE COAST GUARD

The following officers of the U.S. Coast Guard for promotion to the grade of lieutenant:

Wade A. Mitchell	David J. Rimer
Louis Nash	Zachary A. N.
David A. Dupont	Frangos
Max M. Woodcock	James B. Brewster
Edward D. Selle, Jr.	Richard O. Cobb

Scott E. Hartley
Martin J. Rajk
Wayne M. Lundy
William R. Webster
Steven R. Swanson
William L. Siegel, Jr.
Robert L. Lachowsky
Kenneth W.

Armstrong
Barron M.

Hudiburgh

George H. Teuton III
William T. Davis II
Robert C. Jones
Richard A. J.

Walleshauser

William G. Shultz
Kevin P. W. Jarvis
Gregory G. Warth
Thomas R. J. Rice
Dennis J. Hughey

Mark J. Campbell

William M. Bocchino

Peter J. A. Ganser

Jeffrey P. Watry

John N. Leonard

Mark E. Jones

John S. Bowers

Ernest W. Fox

Timothy R. Quinton

Robert I. Bernstein

John C. Miko

Robert J. Watson

Burton S. Russell

Michael P. Selavka

Steven E. Fabian

David A. Davidson

Graig M. Veley

Paul A. Richardson

Alvin Crickard, Jr.

William R. Cairns

George W. Wood III

Carl S. Jordan

Bryan F. Collver

Patrick C. McHugh,

Jr.

Lloyd G. Spence, Jr.

Michael D. Riley

Richard P. Fornaseri

Kevin C. Olds

John J. Allen

William M.

Addington

Joseph H. Schuck
Curtis B. Odom
Earl A. Burns, Jr.
Douglas D. Whitmer
Paul J. Prince
Frederick E. Bartlett
Keith D. Cameron
Darrell E. Nelson
Michael L. Williams
Mark P. Thomas
William K. Farrell
Randal K. Meints
Joseph B. Kolb, Jr.
Anthony Buancore
William B. Baker
Daniel C. Slyker
Louis R. Skorupa
Richard M. Piccioni
Phillip W. Waldron
Frederick F. Garland

III

Martin L. Phillips

Arthur E. Pilot

Joseph D. Klimas

Lee Reneau

John J. O'Brien, Jr.

Wesley E. Laughrey

Dennis J. Haise

William R. Wheeler

Jack E. Geck

Ronald E. Johnson,

Sr.

Donald C. Roark

James L. West

Richard Y. Atlee II

David R. Gomez

Phillip L.

Biedenbender

Kenneth Miller

Karl E. Sanders

Edward A. Blackadar,

Jr.

Scott D. Bair

Lional R. Munsey

William S. Asprey

Dana A. Gray

Charlie L. Cozby, Jr.

Phillip T. Stanley

Tom A. Beck

Jack R. Smith

Mark J. Kerski

The following named temporary officers of the Coast Guard to be permanent commissioned officers in the grade of lieutenant (junior grade):

Richard O. Cobb
William B. Baker
Daniel C. Slyker

Louis R. Skorupa
Richard M. Piccioni
Phillip W. Waldron

Frederick F. Garland
III

Martin L. Phillips
Arthur E. Pilot
Joseph D. Klimas

Lee Reneau
John J. O'Brien, Jr.
Wesley E. Laughrey

Dennis J. Haise
William R. Wheeler
Jack E. Geck

Ronald E. Johnson,
Sr.

Donald C. Roark

James L. West
Richard Y. Atlee II
David R. Gomez

Phillip L.
Biedenbender
Kenneth Miller

Karl E. Sanders
Scott D. Bair
Lional R. Munsey

William S. Asprey
Dana A. Gray
Charlie L. Cozby, Jr.

Carl S. Jordan
Bryan F. Collver
Patrick C. McHugh,

Jr.

Lloyd G. Spence, Jr.

Phillip T. Stanley

Tom A. Beck

The following officers of the U.S. Coast Guard for promotion to the grade of lieutenant (junior grade):

Fulton M. Gregg
Christian P.

Kisvarday

Peter M. Keane
Michael J. Miller

Michael A.
Hollincheck
John J. R. Zantek
David J. Albaugh
Frederick B. Horgan
William E. Pearson
Barry L. Dragon
Michael G. Edwards

Thomas D. Hooper
Barry L. Youngblood
David W. Vermillion
John J. Pittman
Rubin H. Orr
Robert E. Delle
George V. Donald

The following officers of the U.S. Coast Guard Reserve for promotion to the grade of captain:

Theodore L. Seaman
Edwin J. Lockwood

The following officers of the U.S. Coast Guard Reserve for promotion to the grade of commander:

William L. Giles
Steven R. Breseman

The following temporary officer, of the U.S. Coast Guard to be permanent chief warrant officer, W-2:

Joseph D. Klimas

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by

the President under subsection (a) of section 601, in grade as follows:

To be lieutenant general

Maj. Gen. Walter F. Ulmer, Jr., xxx-xx-

xxx- U.S. Army.

IN THE NAVY

The following-named officer, having been designated for command and other duties of great importance and responsibility in the grade of admiral within the contemplation of title 10, United States Code, section 601, for appointment while so serving as follows:

To be admiral

Vice Adm. Kinnaird R. McKee, U.S. Navy.

HOUSE OF REPRESENTATIVES—Wednesday, February 3, 1982

The House met at 3 p.m.

The Reverend Panama Mutu, vice chairman, Christian Congregational Church of American Samoa, offered the following prayer:

O God, our Heavenly Father, Creator of light and Giver of life to men. We thank Thee, for days, season, and years in which we live.

Cleanse our lives of all sin and evil, and create in us clean hearts, that we may go forth into the year with confidence and courage.

Help us to redeem the days that Thou hast given us. Permit us not to lose our lives in the pursuit of the unworthy and the worthless.

Keep us from entanglements with the sordid and the lustful. May our delights be found in the true, the beautiful and the good.

Help us, O God, to walk the ways of righteousness and peace. Teach us to know truly our cause to mankind and to the world.

Lord of all nations, grant that in this our Nation, there may be none high or low, whatever his race or caste, but a new enthusiasm of humanity where brother is working with brother. We need good men and more citizens dedicated to building bridges of understanding and good will. We all have spiritual suitcases and we know where we are going. We do not pray for a lighter load, but we pray for a stronger back. Help us, our leaders of today, the executive, the legislator, the judicial, and all who are in authority to bind the wounds of the world, with the cleansing and healing oil of your sympathy and love. Now, may we find new life in touching the hem of Christ's garment, by listening to His words, by our awareness of His presence in our midst, and by opening our lives to His grace.

Bless our Nation with peace and the good of all the world. Give to the rising generation a strong faith in Christ and a sincere devotion to His cause.

This our prayer, O God, through our Lord and Saviour Jesus Christ. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

THE REVEREND PANAMA MUTU

(Mr. SUNIA asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SUNIA. Mr. Speaker, it is my pleasant duty to add to your own welcome our welcome to the Reverend Panama Mutu, who is vice chairman of the Christian Congregational Church of American Samoa.

It is also my very pleasant experience to be able to invite him to the National Prayer Breakfast tomorrow and at the same time extend our greetings to the first Samoan minister ever to offer the prayer in this Chamber of ours.

Reverend Mutu's other duties, while he is in this Nation, are to finalize the arrangements to bring the American Samoan chaplains into the Armed Forces of our Nation.

So, it is indeed with great pleasure that I welcome Reverend Mutu to our Nation's Capital and to wish him a safe trip back to paradise.

THE SYNFUELS CORPORATION SHOULD BE ALLOWED TO ENCOURAGE BIOMASS FUEL DEVELOPMENT

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, today, I am introducing along with my colleagues, WES WATKINS of Oklahoma and DON CLAUSEN of California, legislation to authorize the Synthetic Fuels Corporation to provide support to production of fuels from biomass just as the Corporation is presently authorized to provide for other alternative energy resources.

When we passed the legislation establishing the Synfuels Corporation during the last Congress, fuels from biomass were specifically excluded from the Corporation's jurisdiction because we had programs providing good amounts of financial support to these energy resources within the Energy and Agriculture Departments. Times have changed, and the direct Federal support for biomass energy resources have dwindled. This morning at a breakfast sponsored by the Congressional Research Service, the Chairman of the Synfuels Corporation, Ed Noble, said that he felt the Synfuels Corporation should have the legal authority to assist biomass energy projects. We agreed and that prompted us to submit this legislation today.

We need to continue developing alternative energy resources and biomass-based fuels should not be excluded.

THE TWO EXTREMES OF EL SALVADOR

(Mr. DAN DANIEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAN DANIEL. Mr. Speaker, a great debate is raging throughout this country about internal conditions in El Salvador.

I do not know which of the two extremes are correct; perhaps, neither. But I find a curious consistency in those who support the leftist coalition of insurgents in El Salvador.

In our recent history, these are the same groups who supported the Castroists in Cuba, the guerrillas in Vietnam, the followers of Ayatollah Khomeini in Iran, and the Sandinistas in Nicaragua.

Can they really feel that the people in those countries are enjoying a better way of life today than they did before their governments were so radically changed?

THE SEARCH FOR PEACE IN EL SALVADOR

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, I rise to salute the gentleman from Virginia (Mr. DAN DANIEL) and to join in the plea that he makes for patience and understanding with those people who are attempting in good faith to create a peaceful solution to the problems in El Salvador.

The only person who ever has been elected as President of that country is Jose Napoleon Duarte. Recently when he was in the United States, I was present with a bipartisan group from this House. We asked him all kinds of questions, and he responded affirmatively. He expresses a total willingness to let the people choose, by the electoral process, which group they want to govern them. The terrorists, on the other hand, are doing everything within their power to sabotage the electoral process.

Surely it is our responsibility to stand with those moderate people like President Duarte who are willing to settle those problems by ballots not by bullets, and who are willing to hold

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

free and fair elections. I cannot imagine our succumbing once again to the siren song of those who would sell down the river the responsible people who are trying to have a stable, free democratic government in behalf of those who would follow the example of Castro's Cuba.

INTRODUCTORY REMARKS OF CONGRESSMAN NORMAN D. DICKS FOR LEGISLATION MANDATING AN ANNUAL OPEN SEASON FOR FEDERAL EMPLOYEE HEALTH BENEFITS

(Mr. DICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKS. Mr. Speaker, today I am introducing legislation to insure that Federal workers and retirees are provided the opportunity to change their health benefits plans on a predictable and regular basis.

One of the foundations of the Federal employees health benefits program is the competition among various health insurance plans. This competition encourages a wide variety of coverage options, helps lower costs, and allows participants to purchase the type of health coverage that best suits their needs, at a price they are willing to pay.

But recent actions of the Office of Personnel Management have undermined this competition and prevented FEHB participants from exercising their free market right of choice. OPM has repeatedly refused to implement the open season scheduled for last December. In fact, they have taken the issue to court to determine if any open season is in fact required.

My bill is intended to clarify once and for all any confusion about the necessity for an open season. Current law provides the Office of Personnel Management complete discretion as to when to provide opportunities for employees and retirees to change health plans. In the past, OPM has regularly granted an open season at the end of each year. The system worked well in balancing the need for ease in administration with the desires for FEHB participants to change plans. But the events of the last few months demonstrate that we can no longer rely on OPM to honor this time tested arrangement. I frankly fear that future attempts to manipulate the system may come about without a clear requirement for annual open seasons.

This bill, because it promotes competition, will help keep costs down and guarantee the type of freedom in selecting health insurance plans that all Americans expect and deserve. I strongly urge its prompt passage by the House.

JAPANESE QUARANTINE ON CALIFORNIA PRODUCE IS UNFAIR

(Mr. THOMAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, the United States has worked for decades to establish a worldwide trade policy which relies upon the free movement of goods among nations.

Unfortunately, our generosity in admitting foreign goods to America is not often reciprocated. Farm exports, which account for about one-fifth of total U.S. exports, often face tariffs, quotas, and other barriers in foreign markets.

The most recent trade restriction on farm products has been Japan's quarantine of all produce grown in California. Japan has required fumigation or cold treatment for any California farm product, ostensibly out of fear that the Mediterranean fruit fly might enter Japan in a shipment of California produce. This Japanese quarantine is not grounded in scientific fact.

USDA evidence shows that only 240 square miles require produce treatment and other Medfly control measures. The USDA has identified 240 host species which, if grown in a Medfly-infested area, must be fumigated. Fumigation is costly and can greatly reduce produce shipping range.

Japan, however, requires treatment of all produce from anywhere within California, which encompasses 158,000 square miles. This entirely unreasonable quarantine represents a formidable nontariff barrier which discriminates against California growers and shippers.

Shippers located hundreds of miles from a Medfly-infested area must treat their produce at great expense, yet shippers equidistant from a Medfly area but outside the State—in Arizona, for example—may ship freely to Japan. In addition, shippers of non-host material such as strawberries, potatoes, and lettuce must treat their produce even though no scientific evidence exists showing these crops to be even remotely connected with the Medfly.

California farmers are suffering unfair treatment under this arbitrary quarantine. We in this body often hear about our trade deficit with Japan and about the dumping of Japanese cars and radios on the U.S. market. I am here today to tell you that California farmers are being dumped upon.

□ 1515

LAW OF THE SEA

(Mr. FIELDS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FIELDS. Mr. Speaker, last Friday, President Reagan announced to the Nation that many of the provisions of the current draft convention of the so-called Law of the Sea Treaty are unacceptable and inconsistent with U.S. interests. This determination followed an extensive interagency review.

I invite my colleagues and all Americans to join me in extending high praise and commendation to the President for this decision.

While last Friday's announcement passed with relatively little note in this country, I believe that future American historians will view it in the same light as the Declaration of Independence. Finally, another American leader has looked into the dark face of tyranny and refused to blink.

The present draft treaty represents a striking affront to the sovereignty of the United States, and is nothing short of a thinly disguised attempt by part of the Third World, joined by the Soviet-bloc, to co-opt the United States, and have Americans assume the majority financing for a new international organization which is unalterably committed to locking up the wealth, riches, and resources of the world's oceans which are so vital to America's national interest.

ANOTHER UNFAIR TRADE PRACTICE BY JAPAN

(Mr. SCHULZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHULZE. Mr. Speaker, the Japanese manufacturers of specialty steel pipe and tube have been selling their products in the United States at less than fair value. In a word, they have been dumping their excess production over here in order to maintain high levels of employment at home.

Is that an example of traveling a two-way street? Are the working men and women of the United States required to go on furlough every time a foreign producer runs out of market for his product?

The dumping of specialty steel by the Japanese will have a crippling effect on our domestic industry. If our manufacturers go under, who will supply our needs? Clearly, the Japanese will, and anyone who thinks they will do it at a fair profit should think again; they will demand monopoly profits.

It is time to do something about the trading practices of our major trading partner across the Pacific. The Congress must act. It is time to man the defenses.

UNITED STATES-JAPANESE TRADE

(Mr. JAMES K. COYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JAMES K. COYNE. Mr. Speaker, I wish to register my approval of the Japanese Government party's recent proposal to ease or to eliminate 67 nontariff trade barriers, but I suggest that further action is necessary.

The \$20 billion trade deficit with Japan that the United States will incur this year is staggering and demands attention. The intricate web of excessively stringent customs, product standards and testing requirements of the Japanese economic system accounts for a substantial portion of this deficit, and I suggest that only the removal of these barriers will open Japanese markets to an acceptable degree.

I believe that although the Japanese Government's proposal is a step in the right direction toward a Japanese market open to foreign products, the actual change will be little more than superficial. The proposal primarily affects industries involved with cosmetics, pharmaceuticals, processed foods, and sporting goods and makes scant mention of high-technology products such as data processing and telecommunications equipment.

I support the U.S. Trade Representative's efforts to communicate to the Japanese Government that we will not be content with minor alterations to Japan's complex system of economic obstacles. We demand more extensive elimination of trade barriers.

DISCONTINUING SUPPORT FOR BLUE ANGELS AND THUNDER- BIRD PROGRAM

(Mr. MARKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKS. Mr. Speaker, I rise to advise the House that it is my intention within the next few days to present a concurrent resolution which will urge the Defense Department to discontinue support for the Blue Angels and the Thunderbird program.

I would like to say, Mr. Speaker, that I have great concern for those people in the program and great, great sympathy for their families and their relatives.

Mr. Speaker, I am presenting this concurrent resolution because I feel very strongly that the loss of 38 of our best and brightest and most human being pilots should not go on. I believe this because I do not believe it is necessary after 38 deaths of these extraordinary young men to have that type of a program to instill patriotism or to convince our young men or women to join the Armed Forces.

As a part of this resolution, Mr. Speaker, I will ask that this Congress approve gold medals for those families of the deceased pilots who have suffered and given their lives in the interest of this country.

There was no objection.

EXPRESSING SENSE OF CON- GRESS REGARDING SUCCESS- FUL RESCUE OF BRIG. GEN. JAMES L. DOZIER

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Committee on Armed Services be discharged from further consideration of the concurrent resolution (H. Con. Res. 260) expressing the sense of the Congress regarding the successful rescue of Brig. Gen. James L. Dozier, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object, I do so for the purpose of allowing the prime sponsor, the gentleman from Illinois (Mr. ANNUNZIO), and the chairman of our Foreign Affairs Committee, the gentleman from Wisconsin (Mr. ZABLOCKI), to explain the resolution.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. BROOMFIELD. I am happy to yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

Mr. Speaker, this is a very brief and very succinct resolution which expresses the sense of Congress regarding the successful rescue of Brig. Gen. James L. Dozier and the various activities of the Italian Government. The resolve clause congratulates the Italian Government and its antiterrorist police forces for the rescue of General Dozier.

Mr. BROOMFIELD. Mr. Speaker, since it is obvious that I support the resolution, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 260

Whereas the kidnapping of Brigadier General James L. Dozier by the Red Brigades represented another tragic example of the sickness of international terrorism;

Whereas the Italian antiterrorist police forces exercised patience and efficiency in their investigation of the kidnapping;

Whereas the Italian Government demonstrated sensitivity and resolve in its oversight of police activities and its dealings with the Dozier family;

Whereas the difficulties of rescuing General Dozier without bodily harm required the highest degree of skill and courage: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress congratulates the Italian Government and its antiterrorist police forces for the successful rescue of Brigadier General James L. Dozier; and be it further

Resolved, That the Congress extends to General Dozier and his family best wishes for a quick recovery and return to normal life.

The SPEAKER. The gentleman from Wisconsin (Mr. ZABLOCKI) is recognized for 1 hour.

Mr. ZABLOCKI. Mr. Speaker, I yield one-half of my time to the gentleman from Michigan (Mr. BROOMFIELD) pending which I yield myself such time as I may consume.

AMENDMENT OFFERED BY MR. ZABLOCKI

Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ZABLOCKI: Page 3, line 2, strike out "recovery and".

The amendment was agreed to.

Mr. ZABLOCKI. Mr. Speaker, I rise in strong support of House Concurrent Resolution 260, concerning the successful rescue of Brig. Gen. James L. Dozier. At the outset may I commend the gentleman from Illinois, Mr. FRANK ANNUNZIO, for his leadership in bringing this resolution to the attention of the House. I am proud to join him as one of the 166 cosponsors of House Concurrent Resolution 260.

Mr. Speaker, Americans were shocked and saddened by the kidnapping of General Dozier by Red Brigade terrorists on December 17. Throughout his 42 days of captivity, Americans watched with interest and concern as the Italian Government and police struggled with this latest example of the sickness of international terrorism.

The successful rescue of General Dozier on January 28 was cause for celebration. It was also a time to recognize that without the efforts of the Italian police and the Italian Government, General Dozier's rescue would not have been possible.

In that spirit, Mr. Speaker, House Concurrent Resolution 260 provides a congressional expression of appreciation to the Italian police and government in rescuing General Dozier unharmed. The resolution, as I earlier stated, commends the Italian antiterrorist police for their patience and efficiency in the investigation of the Dozier kidnapping, as well as the sensitivity and resolve of the Italian Government in its oversight of police activities and its dealings with the Dozier family.

Finally, House Concurrent Resolution 260 expresses best wishes for a quick return to a normal life for General Dozier and his family. I urge unanimous adoption of the resolution.

Mr. Speaker, I now yield such time as he may consume to the prime sponsor of the legislation, the gentleman from Illinois, Mr. FRANK ANNUNZIO.

Mr. ANNUNZIO. Mr. Speaker, I rise to urge the support of all of my colleagues for House Concurrent Resolution 260, the bill I introduced, along with the distinguished chairman of the House Foreign Affairs Committee, the Honorable CLEMENT J. ZABLOCKI, to congratulate the Italian Government and its antiterrorist police forces for their skill and courage in resolving the brutal kidnapping of Brig. Gen. James L. Dozier, and to extend to General Dozier the best wishes of the Congress for a quick recovery from his recent ordeal in the service of his country.

All of us were relieved and delighted that General Dozier was rescued without bodily injury, and I thank my good friends Chairman ZABLOCKI and WILLIAM BROOMFIELD, ranking minority member for their expeditious committee action to report this legislation for consideration of the full House of Representatives. I also thank the 166 Members of the House of Representatives who cosponsored this resolution of national gratitude, including the 10 full committee chairmen who gave their support.

Brig. Gen. James L. Dozier has proved himself a courageous soldier dedicated to the well-being of his country, and our Nation extends its congratulations and its highest tributes to him for his exemplary fortitude and valor.

In 1978, I was privileged to be a part of the American delegation representing the President of the United States at the memorial service in Rome for Aldo Moro, the former Prime Minister who was slain by vicious renegade terrorists. We came away from this brief visit both strengthened and inspired, for we witnessed firsthand the dignity of the Italian people and their leaders who stood firm in their determination to defend and preserve the values of democracy for which Aldo Moro struggled during more than three decades of dedicated public service. Italy has always been a part of the Western tradition of faith and belief in the nobility of the individual human spirit, and it is this tradition that will remain of tremendous importance in the continuing struggle against terrorist advocates of oppressive state control of individual freedoms dependent on brute force.

About 2 weeks ago, I was again in Rome, along with my distinguished colleague Chairman PETER RODINO, and other Members of the Congress, and we had a discussion with President Pertini of Italy. All of his remarks centered on the fight against the scourge of terrorism in Italy and the strong and concerted efforts being

made to eradicate this terrible threat to his country's values of freedom.

During those 4 years since I last visited Italy, he emphasized the tremendous progress that had been made to strengthen his nation's defenses against terrorism, and his optimism in his country's ultimate triumph over terrorism was rewarded by the rescue of General Dozier a few days later. General Dozier is reported to have said that Italy's antiterrorist action was a "stupendous operation."

The United States and Italy have a long tradition of friendship in addition to the cultural and ethnic ties between our peoples, and it is most important that our alliance with a strong, democratic Italy in NATO is maintained and strengthened for our mutual benefit. Italy has long been a vital member of that alliance in opposition to Communist conquest and oppression.

I want to commend Ambassador Rabb for the outstanding manner in which he conducted himself during this trying period while General Dozier was being held captive. He was a tower of strength in preserving the long friendship between the United States and Italy.

With the passage of this resolution of national gratitude today, we as a nation say to the Italian people, and to the Italian Government and the brave members of its antiterrorist forces, "Bravissimo." With this resolution we send to them our heartiest congratulations for this important victory, our best wishes for continued success in their firm stand against the forces of oppression, and our strongest expressions of support in the unswerving dedication to the ideals of liberty.

An editorial from the February 1 edition of the *Christian Science Monitor* entitled, "Italy Saves the General," follows:

ITALY SAVES THE GENERAL

Terrorism is not impregnable. That is the message of the dramatic rescue of American Brig. Gen. James Dozier by Italian police last week. The raid was a tremendous victory for the Italian carabinieri and anti-terrorist commandos. It was also a major blow to the Red Brigade terrorists who had been holding the general since his kidnapping Dec. 17. During the 42-day period of incarceration, Italian authorities captured some 20 carloads of documents and arrested a number of suspected terrorists. They will now be able to put together the first detailed picture of the makeup and operation of the Red Brigades organization over its 11-year history.

The battle against terrorism, of course, must go on. The brutal assassination of a Turkish diplomat in Los Angeles the same day as the rescue of General Dozier was another incident in an unrelenting chain of terrorist acts in many parts of the world. As long as misguided individuals and groups resort to such mindless methods of political or social protest, every human and spiritual resource must continue to be brought to bear on the problem.

Every success in combatting terrorism, however, lessens the fear of it and gives en-

couragement to the forces of order. The world can only cheer the magnificent work of the Italian police. In the grateful words of General Dozier, it was "a stupendous operation."

□ 1530

Mr. ADDABBO. Mr. Speaker, will the gentleman yield?

Mr. ANNUNZIO. I yield to my distinguished friend, the chairman of the Subcommittee on Defense of the Committee on Appropriations, the gentleman from New York (Mr. ADDABBO).

Mr. ADDABBO. I thank the gentleman for yielding.

Mr. Speaker, I commend the gentleman on his statement and I join with him in his accolades and his full and detailed report of this important matter in the history of our country and the Italian Government relationship.

I wish to also commend the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI) and the ranking minority member, Mr. BROOMFIELD.

Also, as we commend the Italian Government, Mr. Speaker, I think we should also commend all of those who worked in conjunction with helping the Italian Government and working very closely with them. I think they are also the unsung heroes in this great drama that we saw unfold and which came to a happy ending.

I join in commending General Dozier for his exemplification of the finest in our military service.

Mr. ANNUNZIO. Mr. Speaker, I thank the gentleman for his contribution.

Mr. BIAGGI. Mr. Speaker will the gentleman yield?

Mr. ANNUNZIO. I yield to the distinguished gentleman from New York (Mr. BIAGGI), the chairman of the Subcommittee on Merchant Marine of the Committee on Merchant Marine and Fisheries.

Mr. BIAGGI. I thank the gentleman for yielding.

Mr. Speaker, I would like to take this opportunity to congratulate the gentleman from Illinois (Mr. ANNUNZIO) for the introduction of this resolution so promptly, in order to provide a governmental response to a remarkable achievement.

I would also like to commend the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI) without whom we would not have been able to have this resolution on the floor today for consideration and whose conduct in areas of this kind have been consistently supportive. We are grateful to him for that.

I would like to associate myself with the gentleman's remarks and to dwell on a facet of the entire undertaking that most people would recognize but sometimes lose sight of in the excite-

ment and jubilation of the recovery and release of General Dozier.

As a former policeman for 23 years in the New York City Police Department, I have viewed the acts of terrorists over these many years, the successful acts of the terrorists, with increasing alarm. It seems they functioned with immunity and impunity and functioned in such an effective manner that they were seemingly impenetrable. Time after time, person after person was either kidnapped or assassinated—governmental officials, business executives, or some peasant who was an impediment to their organization. These terrorists became a threat, not simply to the tranquility of the Republic of Italy, but a threat to all democracy, and they represented a universal threat. Their counterparts were found in other countries, their acts of terrorism, whether it be in Germany, in Libya, in Ireland, or wherever, and their acts of terrorism had to be suppressed.

Sometimes the terrorist is more quickly apprehended, but it seems that the Red Brigade in Italy functioned in such an effective manner that a pall had developed over the entire law enforcement structure of the world, because it seemed these individuals could escape detection, and could function with an arrogance that was frightening.

I focus it on this area because I feel with the apprehension not simply of those who had actual custody of the general, but those others who were in the field and in a number of other places, we have broken into the structure of the Red Brigade. I hope that it is the first step in the destruction of the entire Red Brigade organization.

As a former policeman, I pay a special commendation to all of those who were responsible for the release and the recovery of the general, as well as those who were responsible for the arrests of the terrorists in this manner. I am the author of House Joint Resolution 394, cosponsored by some 70 of my colleagues. I rise to join in support of the pending resolution saluting the Italian Government, and most specially the police, for their remarkable rescue of Brig. Gen. James L. Dozier.

One week ago at this time, freedom for General Dozier was no closer than it had been in any of the other 42 days of his captivity. Suddenly, last Thursday morning—in a masterful performance—a group of specially trained Italian police rescued the general from a small apartment in Padua. The feat has been applauded around the world.

Thanks to their work, General Dozier is now a free man, just a few miles away from us right now at Fort Myer. Just as important is the fact that the Government may have broken the back of the Red Brigade.

As Americans, we are proud of General Dozier and grateful to Italy. Let

us continue to work cooperatively to end terrorism and protect our diplomats abroad.

Mr. ANNUNZIO. Mr. Speaker, I thank my good friend, the gentleman from New York, for his very succinct remarks and for the expertise that he brings to the floor of this House on all police matters.

Mr. ZEFERETTI. Mr. Speaker, will the gentleman yield?

Mr. ANNUNZIO. I yield to my good friend, the gentleman from New York (Mr. ZEFERETTI) who is also chairman of the Select Committee on Narcotics Abuse and Control.

Mr. ZEFERETTI. I thank the gentleman for yielding.

Mr. Speaker, I would just like to rise in support of the concurrent resolution and to associate myself with the remarks of the distinguished gentleman from Illinois (Mr. ANNUNZIO) and compliment him and the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI), for bringing this important resolution to the floor.

It is not too often that we pay recognition to those who put their lives on the line every day in support of people. And that is what it is all about. Whether it is a police force in Italy or whether it is a police force in the United States, it is people who go out and put themselves in jeopardy to protect someone else. I would just like to compliment those who have had the ability and the desire to bring this concurrent resolution to the floor.

Mr. ANNUNZIO. I thank the gentleman from New York for his remarks.

Mr. Speaker, in conclusion I want to once again express my deep appreciation to the ranking minority member, the gentleman from Michigan (Mr. BROOMFIELD), for all of the help and the assistance and cooperation. I know that the other day he took the floor of the House and he praised the Italian antiterrorist squad for the work that they did in bringing General Dozier back home, without bodily injury. The introduction of this resolution and the passage of this resolution by the Congress today is timely, because it is my understanding that General Dozier will be in the country tomorrow, where he will be guest speaker at the prayer breakfast.

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wish to compliment the gentleman from Illinois (Mr. ANNUNZIO) on the work that he has done on this particular resolution and also the chairman of our Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI), and all of the sponsors who have worked so hard to bring this resolution to the floor.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 260 commending the Italian authorities

for their skillful efforts in securing the freedom of General Dozier and wishing the general and his family a speedy return to a normal life.

This resolution is especially timely coming as it does on the day the general and his family are returning to the United States and the day before his appearance as the President's guest at the national prayer breakfast.

We all have reason to celebrate his safe return. "America," as President Reagan said, "has finally won one."

But it is a victory shared and made possible by the skill and daring of the Italian Government and its antiterrorist police.

Certainly, they have set an example for professionalism and cooperation that if emulated in other nations would permanently cripple terrorist activities around the world.

Their conduct during General Dozier's 42-day ordeal was exemplary. They combined unparalleled police professionalism with a scrupulous sensitivity to the standards of a democratic society and scored a total success.

Mr. Speaker, I want to commend the 165 other Members of this body who cosponsored this resolution for their bipartisanship and say that I am proud to be among them.

I know you would all join me in saying: "Welcome home, General Dozier. We're proud of you."

Mr. BROOMFIELD. Mr. Speaker, I have no further requests for time.

Mr. ZABLOCKI. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. MINISH).

Mr. MINISH. Mr. Speaker, I rise in support of the resolution and commend the gentleman from Illinois (Mr. ANNUNZIO) and the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI) for bringing the resolution to the floor.

Mr. Speaker, last Thursday an outstanding rescue mission occurred in Padua, Italy. This mission should be a sign to those who believe that terrorism can be a successful and acceptable means to their political ends. The skillful and valiant rescue of Brig. Gen. James Dozier is deserving of the highest praise. I am therefore honored to join my colleagues Chairman ZABLOCKI and Congressman ANNUNZIO, as a cosponsor of a House concurrent resolution commending the Italian Government and the antiterrorist police forces for their outstanding performance in the rescue investigation and mission.

As we have all followed with keen interest and admiration for the last week, it took only 90 seconds for the 10 masked commandos to end the captivity of General Dozier. The quick actions and clear thinking of the Italian police enabled them to safely rescue General Dozier and arrest the Red

Brigade members present at the apartment.

This concurrent resolution is a sound piece of legislation which deserves the full support of my colleagues. The resolution begins by recognizing that the kidnaping of General Dozier is another alarming example of international terrorism. With that background, the main body of the bill commends the Italian police and Government for their patience and efficiency in handling the investigation, and emphasizes the extremely competent job of the Italian police for returning the general unharmed.

Mr. Speaker, this resolution is both timely and appropriate, and I believe a fitting way to honor the Italian Government for their assistance to an American citizen, who is also our highest ranking NATO official in Italy. I thank you for recognizing me at this time and I urge my colleagues to give Mr. ZABLOCKI's and Mr. ANNUNZIO's resolution their full support, so that expeditious passage of the legislation may occur.

Mr. ZABLOCKI. Mr. Speaker, I have no further requests for time, and I move the previous question on the concurrent resolution.

The previous question was ordered.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

The SPEAKER pro tempore (Mr. KAZEN). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

INTRODUCTION OF RESOLUTION DISCOURAGING USE OF PUBLIC FUNDS TO PAY DEBTS OF POLAND

(Mr. PEASE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PEASE. Mr. Speaker, incredible as it seems, President Reagan has decided to have our Government pay \$71.3 million owed by the Government of Poland to U.S. commercial banks. This figure could grow to \$613 million over the next 20 months. Our constituents are being forced to pay the debts of the martial law regime of General Jaruzelski in Poland at the same time the fiscal year 1982 deficit is soaring past \$100 billion and unemployment offices are closing their doors all over America.

This ill-advised policy flies in the face of the commonsense and decency of the American people. It could only be implemented secretly behind closed doors. And that is precisely the course of action being followed by the Reagan administration. If the Congress does not act quickly, every American taxpayer will be directly subsidizing the brutal repression of the Polish people and the destruction of the Solidarity trade union movement.

I have introduced a concurrent "sense of the Congress" resolution to dissuade the President from using public funds to underwrite the complete subjugation of the Polish people. Specifically, my resolution urges that no agency of the U.S. Government be authorized to make payments on the current debts owed by the Government of Poland to either the U.S. Government or to U.S. commercial banks until:

First, the Government of Poland has formally and publicly been declared in default on its debts and concrete steps have been taken to recover at least some of the outstanding funds from Polish assets; and

Second, the military government of Poland has lifted the martial law imposed on December 13, 1981.

WHY SHOULD YOU SUPPORT THIS RESOLUTION?

First, it is the Soviet Union which dominates political, economic, and military developments in Poland. Therefore, it is the Soviets and their Polish military pawns who should shoulder the burden of financing Poland as well as the blame for the economic collapse and military crackdown.

Second, it is painfully apparent that, as Americans, we do not have either the influence or the power to substantially improve the lot of the Polish people. They have no personal freedom and, just this week, prices for food and fuel were increased 200 percent to 400 percent by government fiat.

Third, the Reagan administration has used surreptitious means to subvert the rules and charter of the Commodity Credit Corporation to pay off its friends in the Wall Street banking community. Apparently it is easier to dun the American taxpayer for the expense of Polish martial law than to ask the commercial banks to lift a finger toward seizing Polish assets.

Most importantly, the bankruptcy of the entire Communist system will be dramatically borne out if the Government of Poland is found in default on its loans. Felix Rohatyn, senior partner of the investment banking firm of Lazard Freres, recently pointed out:

The West has been relieving the Soviet Union of what may be its greatest shortage—capital—at the cost of making bad loans while pretending to oppose Communism. That is bad business, bad policy and bad morality.

The weapon of capital is potentially one of the most powerful and least used in the Western world. Poland affords us a chance to use it. It might turn out to be our only effective way, in the long run, of bringing about change behind the Iron Curtain.

Mr. Speaker, I would like to include in the RECORD the following article from the New York Times:

PAYOFF FOR REPRESSION

(By William Safire)

WASHINGTON.—The U.S. Government last week decided in secret to pay \$70 million a month to American banks unable to collect loans to Poland, despite rules of the Commodity Credit Corporation that require the debtor first be declared in default.

Here are some documents—passed along by officials in defiance of lie-detector threats—that show how a craven State Department recommendation, rubber-stamped by national security adviser William Clark, takes the financial pressure off the Polish military junta by interfering with the C.C.C.'s normal guarantee requirements.

On Jan. 8, acting Secretary of Agriculture Richard E. Lyng wrote to then deputy N.S.C. adviser James Nance, pointing out that loans from U.S. banks to Poland, which had been guaranteed by the C.C.C., were coming due along with direct loans in the amount of \$70 million per month. ("We're like co-signers on a note," explains Secretary Lyng, "and when the debtor can't pay, the creditor comes to us.")

However the C.C.C. requires the banks to aggressively seek payment from the borrower before the Government makes good on a bad debt. Was it O.K., asked Secretary Lyng, to stick to the rules: to demand a declaration of default from Poland before paying the American banks?

On Jan. 16, three low-level officials at State sent to the White House a draft of an answer for the new national security adviser. "There is complete agreement," the memo states, despite disagreement by some defense officials, "that the USG should not take any action which increases the risk that Poland could be declared in default . . . it is imperative that USDA take all possible steps to avoid any inducement for banks with claims on C.C.C. to call default. . . ."

Among these "all possible steps" were extraordinary means to get around the rules: "We therefore urge that you explore all possible methods under the C.C.C. charter to authorize payments by the C.C.C. in the absence of a declaration of default," and three such methods were suggested: "Through interpretation of the regulations, the issuance of a temporary and emergency amendment to the C.C.C. regulations, or through the direct repurchase of C.C.C. guarantees on other outstanding obligations covering credits to Poland."

That favored treatment to avoid pressuring Poland's oppressors had to be disguised, the memo indicated, because the Administration had agreed with NATO allies two days before to withhold any rescheduling of the Polish debt: "While minimizing any increase in the risk of default, this interim method of settlement should also avoid being construed as a rescheduling of Poland's C.C.C. debt."

In plain works, the appeasement crowd at State (with the acquiescence of Treasury) not only recommended that we subvert the financial pressures on Poland agreed to at NATO two days before, but that we turn the charter of the C.C.C. upside down to do

it—and then in such a secret way as to deceive the U.S. public.

Incredibly, the White House—in the person of William P. Clark, hero of hopeful hardliners—signed the memo, including the “complete agreement” canard. In its final form, sent to USDA 10 days ago, the White House order directs that American private banks who made risky loans to Poland be repaid with taxpayer dollars without requiring the usual pursuit of the debtor into default. The C.C.C. will then send Poland a bill, to be paid when and if. Without the fact of default, that is *de facto* rescheduling.

Of course, Agriculture complied with the White House order. An emergency regulation was secretly promulgated. However it was felt that the arrangement had such a reek to it that the seven members of the board of the Commodity Credit Corporation, with a quorum available in Washington, D.C., could not be trusted to vote on this rape of the rules without objection or leak. So the no-default decision was made by departmental fiat, to be ratified later by the C.C.C. board.

Deputy Secretary Lyng, a longtime California Reaganite, avoids all questions on this extraordinary regulation as “a national security matter,” which it is not. He cannot deny that he received an order from the White House to authorize C.C.C. payment without the normal demand of default.

Meanwhile, President Reagan—who has probably not been briefed on this, because his N.S.C. briefer may not yet comprehend the import of the decision—blithely sails along, assuring one and all that more stringent methods are on the way unless Poland's junta eases off.

Just the opposite is taking place: the secret regulation giving the junta extraordinarily lenient treatment makes a mockery of pretensions of pressure.

In an eyeball-to-eyeball confrontation, the Reagan Administration has just blinked. Poland's rulers can afford to dismiss the Reagan rhetoric because they have seen that the U.S. is ready to do regulatory nips-ups to save them from default.

AMBIVALENT AMERICAN FOREIGN POLICY

(Mr. JOHNSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. JOHNSTON. Mr. Speaker, the ambivalence of American foreign policy is well illustrated by the State Department's recent attempt to change the rules insofar as bank loans to Poland. If we lack the courage to confront the Soviets militarily, let us at least have the courage to confront them economically and insist they play by the rules.

I commend to my colleagues the editorial from today's Wall Street Journal which clearly and unequivocally points out just exactly how the rules are being bent in favor of the Soviets as they enforce their crackdown on the once free people of Poland.

CONGRESS CHANCE ON POLAND

It looks as if the battle for freedom in Poland is going to have to be taken to the floor of the U.S. Congress. With Ronald Reagan's administration slipping into tacit

collaboration with martial law by making it easier for the Soviet block to finance repression, any serious action against the Polish regime will have to be taken by another branch of government.

It turns out that the administration, far from calling in the Polish debt to hamper the flow of credit to the Soviet Union and its satellites, is bending U.S. law to keep Poland out of bankruptcy. The Commodity Credit Corporation provides government guarantees to banks financing grain shipments abroad, offering to repay the banks if foreign governments cannot. For ordinary, non-Communist governments, no payment is made until the bank declares the loan in default. But in the case of Poland, this was deemed too embarrassing.

So the State Department lobbied to change the CCC rules, and the administration decided to pay off \$71 million to the banks without their declaring a formal default. This is a down payment on about \$400 million in guarantees on Polish loans due this year. No sooner is the decision taken than Secretary Haig rushes off to Chicago to spend Solidarity Day posturing before Polish voters as a tough guy on Poland.

One point that begs attention is how this decision was reached. At what level of the government was it decided? Did the President understand the full implications of the change in the rules? Did the National Security Adviser? Where was the Treasury? (The undersecretary for monetary affairs says he's under instructions not to discuss the issue.) Was the Defense Department even consulted? Was this the foreign policy equivalent of the decision to change the tax status of segregated private schools? Everything we learn leads us to suspect that the answers to these questions would be profoundly embarrassing, that this is another example of sloppy management at the White House.

A second point concerns the banks. They have refrained from declaring a default in Poland because the writedowns would hurt their earnings. It would also hurt their chances of doing new business with the Communist dictators of Poland and the rest of the Soviet bloc. But the real question is how did U.S. and other Western banks make all these bad loans, and how can we stop them from doing it again?

The banks have made the loans because Western governments encouraged them to do so, implicitly suggesting that loans to Communists had a favored position, deserved lower rates and would more or less be backed by Western governments. The CCC deal can only encourage this notion. The Soviets rushed to get the gas pipeline deal and other credits wrapped up before the Polish crackdown, and with the new incentives just demonstrated by the Reagan administration, the flow of credit will resume again as soon as the bad press dies down.

The U.S. government ought to at least stay neutral toward Communist loans. The Polish loans clearly are sick, and probably terminally so. The banks ought to be establishing large reserves against them—we have previously suggested 50 percent—as a matter of pure commercial prudence. The government ought to be encouraging them to do this, not helping them avoid it, to limit the commercial damage from any forceful foreign policy initiative. Instead the Reagan administration sponsors a TV show.

Fortunately Congress will have an opportunity to show greater forcefulness, for it controls the power of the purse and bail-out money has to come from somewhere. Specif-

ically, it would come from House Joint Resolution 389, a budget-busting supplemental appropriation of \$5 billion for the CCC. This measure has been marked up—with unseemly haste—in the agriculture appropriations subcommittee by the Mississippi Democrat, Jamie Whitten. The main purpose is to provide pork for American farmers, who are calling on their CCC entitlements because of low farm prices. But a lot of the money—between \$500 million and \$1.5 billion, so far as we can learn—could be used to bail out repression in Poland.

It would not be the worst thing in the world if this whole supplemental were grounded, farm price supports being one of our least favorite subsidies to the land-owning poor. But if Congress in going to bail out the American farmer, it can at least write in an amendment prohibiting the use of these tax funds to bail out Polish dictators, at least until a default is declared and the economic lessons of Poland digested.

□ 1545

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 60 minutes.

GENERAL LEAVE

Mr. ADDABBO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the matter of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

A TRIBUTE TO JAMES C. HEALEY

Mr. ADDABBO. Mr. Speaker, many of us here today remember former Congressman James C. Healey, of New York, who passed away on December 16. He was not a figure one would easily forget. I extend my deepest sympathies to his son, Jim and to all his family.

When I first came to the Congress in 1961, Jim had already been here for 4 years. Many a Member, especially an inexperienced one as I, was glad to have Jim's advice and guidance. His good cheer, too, eased our adjustment to congressional life.

During his 8 years in the House, Jim served on the Interstate and Foreign Commerce Committee and the Banking and Currency Committee. He was, even at that time 20 years ago, greatly concerned about international air agreements and the competition our own international carriers faced.

He was also a staunch supporter of Israel, often opposing ill-advised proposals to sell arms and equipment to Arab nations. This, you will remember, was a time when the Israelis were approaching their 10th anniversary and struggling for survival against the economic and military sanctions of their neighbors.

One particular instance in 1956, when the Eisenhower administration proposed to send arms to Saudi Arabia against the strongest opposition from the Congress, spurred a response by Healey and other Members of the New York delegation highly critical of the sale. This brings to mind the struggles we faced last year against a different Republican administration, but also highlights the sensitivity of Healey and others to the hardships and hazards the Israeli's courageously bore then, and continue to face.

The problems in the Mideast were not the only ones to occupy Jim Healey's attention. For Jim Healey, the time spent in the Congress spans a period of fundamental change in our domestic and foreign policies. Serving during the tenures of Presidents Eisenhower, Kennedy, and Johnson, Jim Healey participated in the cold war debates and then, later, in those promoting peaceful coexistence.

On the domestic end, he was here to lend his hand to the shaping of the Great Society. And it is obvious that he kept his eye on the needs of his people—those who lived in the 21st Congressional District in the Bronx, New York. The district, typical of the melting pots that make New York the great place it is, found in Healey a man who supported its needs. Jim pressed for Federal aid for housing and education, looked to raising the minimum wage, and stood beside adequate pay for postal and other Federal employees.

Civil rights, too, was one of his priorities. Long before it became the vogue, Healey saw that our Spanish speaking citizens could not fully exercise their rights as voters if election material was not available to them in their own language. This is only once concrete example of the Congressman's diligence to foster individual rights. He fully supported these rights for all Americans and stood solidly behind the President as Johnson began his historical struggle for equality.

Jim was one of the most active members of the New York Democratic Party organization. Though some might be tempted to say that this role overshadowed all others he played, one cannot help but admire Healey's staunch party loyalty and spirit. How many of us, I wonder, would push so hard for a Presidential candidate's election, as Jim did for Kennedy, that he or she would literally forget his or her own campaign? How many, today, would end our campaign speeches with, "Oh, incidentally, vote for me, too," Jim Healey did.

Those of us who were lucky enough to be counted his good friends were sorry to see him retire after he suffered a stroke in the early 1960's. We are sadder still to hear of his death.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. ADDABBO. I am delighted to yield to the gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, I served in the House with Jim Healey for 9 years. He came from the Bronx in New York City. He came to Congress with a distinguished record for his country, having served in the Navy and local politics at home. He was borough president of the Bronx.

To know Jim was to enjoy him. He was a lovable individual and one of the most popular Members I can ever recall through my years in the Congress.

I can say of Jim Healey that he could get more done accidentally than the average fellow could get done if he was to studiously work on a program.

He was a lovable, talented, able fellow and during the thirties he was a great athlete. He went to the University of Pennsylvania. On a Saturday night in the thirties, amateur athletics prevailed to a tremendous degree in America, and there were great games that would be held in the major cities on Saturday nights.

The University of Pennsylvania always had great teams and Jim was one of the great quarter milers of his day, and up until probably quite recently, his team in the 1930's at the University of Pennsylvania held the mile relay championship.

They used to talk with great interest. In those days he was a sports buff, among many things, as so many of us in public life are. During the thirties when Jim was on the track circuit as a big name, Glen Cunningham was a great runner from Kansas.

There was a fellow by the name of Frensky who was the second greatest miler in America in those days.

Jim told the story about a fellow calling and asking where could he locate Frensky, and he said, "Any Saturday night you can find him a step and a half behind Cunningham." At that time it was true that 7 or 8 weeks in a row Frensky ran behind Cunningham. It got international press at that time.

Jim, as I said, knew how to get things done. He was extremely popular and well liked here in the Congress of the United States, and young Jim is working now and has worked for DAN ROSTENKOWSKI as one of his AA's. Young Jim has all the traits of his Dad, that of a beautiful human being, knowledgeable, who loves the Congress as his Dad did.

All I can say to young Jim is, "Jim, if oldtimers like myself walk up to you and say you remind us of your old man," that is the highest compliment we can pay him, because Jim Healey was indeed a delightful, honorable, decent guy who really loved this Congress.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. ADDABBO. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Speaker, I served with Jim Healey in the House, and as the Speaker has stated, he was a warm person, he was a dedicated American. I was saddened to hear of the passing of our former colleague, Representative James C. Healey, who represented the 21st District of New York for 10 years. Representative Healey, whom I had the honor of serving with during his entire time in Congress, was a dedicated, hard-working, and productive Member of the House of Representatives. He will be sorely missed by all his colleagues.

Representative Healey came to the House with excellent credentials which enabled him to have a fulfilling career. Educated in New York City public schools and Wharton School of the University of Pennsylvania, he later attended Fordham and St. John's Law School. As a practicing attorney and lieutenant in the U.S. Navy, Jim Healey gained invaluable experience and expertise which soon became obvious in the legislative initiatives he took in the House.

Mr. Speaker, as you know, our colleague consistently voted for responsible social programs and human needs legislation that responded to the needs of our low- and middle-income people. He was a supporter of Federal aid to education, of Federal minimum wage, of civil rights legislation, and public housing.

As a member of the Interstate and Foreign Commerce Committee, he developed an interest in air carriers and worked to improve the conditions of American air carriers in the international field. Jim Healey was a persistent legislator with determination; he was respected on both sides of the aisle.

Mr. Speaker, it was a pleasure to serve with Jim Healey who well represented his constituents in the Bronx. I extend my deepest and heartfelt sympathy to his wife, Mollie, his children, and entire family.

● Mr. BOLAND. Mr. Speaker, I am pleased to join the Members of the House in paying tribute to the late Honorable James C. Healey who died on December 16, 1981. Those of us who served with him in the House from 1956 to 1964 will remember him as a dedicated and effective legislator and a fine friend.

During Jim's career in the House I developed a close friendship with him. I admired him for his devotion to his duties as a representative of the 21st district of New York, his open-mindedness about issues confronting the Congress, and his great sense of humor.

Jim's calm and friendly disposition made him universally well-liked, and made the House of Representatives a more effective forum for debate than

it could have been without him. I am pleased to have this opportunity to extend my sympathy and best wishes to Jim's beloved wife Mollie and his family. ●

● **Mr. ROSTENKOWSKI.** Mr. Speaker, it is with a sense of great loss and sorrow that I now pay tribute to the late Honorable James Christopher Healey. On December 16, Jim passed away at the age of 71.

An outstanding Member of Congress, Jim Healey received a bachelor of science degree from the Wharton School of the University of Pennsylvania in 1933, and a degree in law from St. John's University in 1936. After law school, he served as an attorney with the New York State Labor Relations Board and then as an assistant U.S. attorney for the southern district of New York.

With the outbreak of World War II, Jim served as a lieutenant in the U.S. Navy. After the war, Jim again applied his legal skills as assistant corporation counsel for the city of New York and later as counsel to the borough president of the Bronx until his election to Congress in 1956.

Until my assignment to the Ways and Means Committee, I had the pleasure of serving with Jim on the Interstate and Foreign Commerce Committee. On that committee, I remember Jim as always being helpful with any of my inquiries. He was the kind of individual one always wanted around.

Later as fate would have it, his son, James Christopher Healey, Jr., joined my staff in 1970 and still works for me today.

James Christopher Healey was a good friend, a good legislator, and a proud servant of the House. ●

● **Mr. BIAGGI.** Mr. Speaker, on December 16, 1981, our Nation lost a great American. Congress lost a distinguished colleague who served from 1956 to 1964. Bronx County and New York City lost a native son, who became one of their most notable leaders. I lost a good friend and colleague in service for the borough and city we both have loved so much for so long.

James C. Healey, Democrat who served New York's 21st Congressional District of the Bronx, but who was foremost a very devoted family man, has gone to an eternal reward. It is very fitting that we take this time in tribute to observe the person of Jim Healey, witness his achievements, and give our fondest wishes to those he loved and who contributed so much to his life.

A product of the New York public school system, the great New York educational institutions of Fordham and St. John's Universities, receiving his LL.B. from St. John's in 1936, Jim Healey began his public service career as an attorney for the New York State Labor Relations Board in 1938. He

went on to become assistant U.S. attorney for the southern district of New York in 1940, which service gave way to World War II and assignment to Europe as a lieutenant in the U.S. Navy.

In 1946, James Healey was appointed assistant corporation counsel for the city of New York. From 1948 to 1956, he was counsel to the borough president of the Bronx.

Then Jim Healey came to Congress. He was elected to the 84th Congress to fill the vacancy caused by the resignation of Sidney Fine. He was reelected to the 85th and to the three succeeding Congresses, serving from February 7, 1956, until January 3, 1965.

Jim Healey was well respected and greatly admired as a brilliant public figure on the New York and Washington scenes in the early 1960's. He struck an attractive figure. His was a sparkling, charming personality. He had an outstanding record of personal achievements and public accomplishments. His future in public life seemed to have no limits. It was expected that Jim Healey would be tapped for other leadership posts locally, and nationally.

Then suddenly, tragedy struck. He was felled by a stroke 14 months before his reelection primary. While he was not able to win reelection, he was to recover.

While in Congress, Jim Healey championed the efforts of the young nation of Israel. As a member of the Interstate and Foreign Commerce Committee, he felt it was the job of Congress and his committee to monitor international air agreements to make certain American carriers got, at the very least, an even break in negotiations.

Jim Healey also served on the Banking and Currency Committee, and during his congressional career, he established a record as having voted for: Federal aid to education, the \$1.25 minimum wage, civil rights, more Federal aid for housing, and pay increases for postal and other Federal employees.

Also a track star who helped to set records for the mile, while on scholarship at the Wharton School of the University of Pennsylvania, Jim Healey leaves a devoted family behind. To his wife, Mollie, and children, James, John, Joseph, and Elizabeth, I express my deepest sorrow at their loss, and my warmest wishes that God will sustain them in happiness and prosperity as Jim Healey would have wanted. ●

● **Mr. CONTE.** Mr. Speaker, it is with a deep sense of sorrow yet honor that I participate in this special order in honor of Jim Healey's death on December 16. I was fortunate enough to know Jim for the 6 years that he served with me in the House.

As a Member from the other side of the aisle, Jim and I were in disagreement from time to time. Yet I was always impressed by his compassionate sense of realism, and I think you will all agree with me that we need more distinguished public servants like Jim around today.

Jim served his Nation with distinction. He was an attorney for the New York State Labor Relations Board until 1943, and he was a lieutenant in the Navy during World War II. Jim came here before I did, to fill the vacancy created by the resignation of Sidney Fine. I appreciated his friendship and guidance when I came here 2 years later, in 1959.

Jim left the House in 1965, but took a part of all of us with him. He still served his party and his Nation with distinction as a delegate to the Democratic National Convention in 1960, 1964, and 1968.

I began my remarks today by noting that Jim had a sense of compassionate realism. He knew the limits, but he also knew that we had a responsibility to help those who could not help themselves. Many of you remember Jim as a dreamer; some of you could claim that he was a Rube Goldberg-type idealogue, out of touch with the people of the Nation. I do not remember that of him at all—although, he was a dreamer. The world would be a better place in which to live if there were more dreamers. ●

● **Mr. YATES.** Mr. Speaker, I was saddened to learn of the death of Jim Healey. He was not only a most-able Member of this House—he was a warm, generous, compassionate human being. It was a joy to be with him because he brightened and cheered any room he entered.

He was a close friend of my brother Charles. We used to reminisce about my brother, and he would tell me of the experiences both of them had together.

I regret so much of his later years were marred by illnesses; but even suffering as he did, he still possessed a joy and appreciation of life and the events of the day.

Jim will be missed. My wife and I send our deepest condolences to his family. ●

● **Mr. RHODES.** Mr. Speaker, I am pleased to join in the tribute to former Congressman James C. Healey, who died recently in his native New York.

Congressman Healey's tenure in the House was relatively short—8 years in duration, but his contributions to his district and to his country were long and significant. Among his special concerns were aid to education and housing, and support for the minimum wage and civil rights. He fought hard on behalf of American air carriers and was an outspoken friend of Israel.

Congressman Healey's dedicated spirit and keen sense of competitiveness were nurtured early in his life. His talent as a track star secured for him a scholarship at the University of Pennsylvania. His commitment to this sport survived long after his years of competition and he later served as a track official for the Amateur Athletic Union.

Congressman Healey participated in World War II serving as a lieutenant in the Navy in the European Theater.

Before serving in the House of Representatives, Congressman Healey "paid his dues" doing public service in New York. He served as attorney for the New York State Labor Relations Board; as assistant corporation counsel for the city of New York, and as counsel to the borough president of the Bronx.

Jim Healey's fine educational, military and public service experiences prepared him well to serve with honor and distinction the people of New York's 21st Congressional District.

Mrs. Rhodes joins me in expressing sympathy to the Healey family. ●

● Mr. ZABLOCKI. Mr. Speaker, I was saddened to hear of the passing of our former colleague, Representative James C. Healey, who represented the 21st District of New York for 10 years. Representative Healey, who I had the honor of serving with during his entire time in Congress, was a dedicated, hard-working and productive Member of the House of Representatives. He will be sorely missed by all his colleagues.

Representative Healey came to the House with excellent credentials which enabled him to have a fulfilling career. Educated in New York City public schools and Wharton School of the University of Pennsylvania, he later attended Fordham and St. John's Law School. As a practicing attorney and lieutenant in the U.S. Navy, Jim Healey gained invaluable experience and expertise which soon became obvious in the legislative initiatives he took in the House.

Mr. Speaker, as you know, our colleague consistently voted for responsible social programs and human needs legislation that responded to the needs of our low- and middle-income people. He was a supporter of Federal aid to education, of Federal minimum wage, of civil rights legislation, and public housing.

As a member of the Interstate and Foreign Commerce Committee, he developed an interest in air carriers and worked to improve the conditions of American air carriers in the international field. Jim Healey was a persistent legislator with determination; he was respected on both sides of the aisle.

Mr. Speaker, it was a pleasure to serve with Jim Healey who well represented his constituents in the Bronx. I

extend my deepest and heartfelt sympathy to his wife Mollie, his children, and entire family. ●

● Mr. BINGHAM. Mr. Speaker, I am pleased to join with my distinguished colleague from New York (Mr. ADDABO) in paying my respects to the Honorable James Healey who died December 16, 1981. He served in this body in the 84th through the 88th Congresses. Mr. Healey was elected from the 21st Congressional District of New York which I have represented since 1972, although the boundaries of the district are now quite different. He came from a very political family, as he was the son of a Democratic district captain, and I am pleased to note that his own son is now a congressional staffer for our colleague, the Honorable DAN ROSTENKOWSKI.

Mr. Healey worked hard at representing the people of the Bronx in the Halls of Congress. He made sure that the problems of his constituents were not lost in some corner of the Federal bureaucracy, and he established a tradition of the highest quality constituent service that would be the envy of even the most conscientious Member of this body today.

He used to make trips back to the Bronx from Washington every Tuesday and Thursday and meet with streams of constituents who needed one kind of help or another with the Government and then follow up each case diligently until he got results.

Mr. Healey was a strong supporter of John F. Kennedy's Presidential campaign and was one of his strongest supporters in Congress when he won the White House.

In this too, I am sure he was serving his constituents well. He fought in congressional battles on the side of labor, the poor, minorities, recent immigrants and the elderly. He was particularly active in supporting legislation to help improve retirement benefits for Government employees. He is also remembered for his dedication to track and field, an interest which he kept up long after his own personal accomplishments as a track star at the University of Pennsylvania were over. I understand that he used to serve as a track official for the Amateur Athletic Union, and even after he was elected to Congress he helped run the Melrose meets in Madison Square Garden, probably the only Member of Congress to have earned, and deserved, this distinction.

I express my condolences to Mr. Healey's family. This was a fine man who served his country well. ●

CLOSING CONGRESSIONAL LOOPHOLES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) is recognized for 5 minutes.

● Mr. CORCORAN. Mr. Speaker, during the last session of Congress, a bill was enacted that indirectly increased the salary of Members of Congress by increasing the amount of deductions we can take for tax purposes. This, of course, increases our take-home pay. Numerous bills have been introduced to repeal all or part of this provision, and I have cosponsored legislation to repeal completely this unnecessary tax benefit. I am also concerned that if this deduction is not repealed, the language of the provision we passed is so broad that this deduction will be open to widespread abuse.

We should place some limits on the largess with which we treat ourselves, and I am not at all happy with the regulations the IRS issued delineating the limits of our tax deductions. In general, the new regulations provide that a Member can deduct \$75 per day of congressional session or, if the Member owns a home, \$50 plus taxes and interest per day of congressional session. This deduction is without regard to whether the Member is even in town on that day, or whether the session is a legislative session or merely a pro forma session not requiring our presence—and during which we may well not even be in Washington, D.C.

Under these regulations, we could deduct travel expenses for congressional travel outside of the metropolitan area and at the same time take a hefty deduction for expenses incurred in Washington, D.C. Even those Members who feel that the deduction Congress passed is appropriate will realize that such regulations are ripe for abuse.

I am introducing legislation today that will stipulate that we will be eligible for this tax deduction only if the House of Congress of which a person is a Member is actually in a legislative session—that is, has legislation scheduled for consideration—and only if the Member claiming the deduction has recorded his or her presence by a record vote or a vote by yeas and nays. The very least we can do is claim deductions only for those days on which our presence is required and on which we are actually present. ●

INTERPARLIAMENTARY UNION— FALL CONFERENCE IN HAVANA, CUBA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DERWINSKI) is recognized for 60 minutes.

● Mr. DERWINSKI. Mr. Speaker, I have requested a special order for today to inform the Members of the House of the results of the U.S. congressional participation at the fall conference of the Interparliamentary Union held last fall in Havana, Cuba.

As many of the Members are aware, the fact that the meeting was held in Cuba and that U.S. parliamentarians would attend, was cause for certain controversy.

Indeed that were those who strongly urged that we boycott the meeting as a sign of American displeasure at its location. I believe that such a course of action would have been in error and would have done more to help Castro than to hurt him. It is obvious that our nonparticipation would not have confronted Castro with a very difficult foreign policy challenge. On the other hand, since U.S. congressional delegates did attend, the United States was able to stand up to Castro's propaganda, and in the process earned considerable admiration from other parliamentary delegates from around the world in the atmosphere which prevailed in Havana.

The Havana IPU meeting was attended by delegates from 88 countries plus observers from international organizations such as the United Nations. All U.S. delegation statements were listened to and actions closely watched, therefore, by influential representatives from the Eastern bloc, nonaligned, Latin American, NATO, and other countries. Impressions were undoubtedly developed concerning U.S. performance in the IPU conference that could have long term impact on policies in their home countries. The U.S. delegation was particularly active in the following ways:

First, rebutting Castro's opening address: Senator ROBERT STAFFORD directly and immediately responded, in a plenary session, to charges contained in Castro's opening ceremony statement. Senator STAFFORD's statement characterized Castro's address as an "outrageous lecture", a "diatribe" and "without factual basis," and went on to describe positive actions the United States has taken to help combat the Cuban dengue fever epidemic and receive Cubans forced to leave from the port of Mariel.

Senator STAFFORD's speech was extremely well received, and many delegates, most notably from nonaligned countries, went out of their way to praise the dignified tone of his response and express their embarrassment at Castro's misuse of the IPU conference. U.S. participation, in this manner, very likely gained much support for the United States from nonaligned countries and encouraged further questioning of the role that Castro is playing in the nonaligned movement.

Second, rebutting other criticism of and affirming U.S. principles and policies: Senator STAFFORD, Representative CROCKETT and Delegate WON PAT were present during debate including much criticism of U.S. policies in several areas. Senator STAFFORD confronted a barrage of Eastern bloc and Soviet

propaganda that criticized U.S. arms policies, such as the neutron bomb, while welcoming Brezhnev arms control proposals, such as his proposed arms moratorium in Europe. He was able to counter prejudicial allegations on these issues and on Mideast issues as well. Moreover, he was able to challenge the Soviet Union and its friends to pick up on peace opportunities available such as those regarding Afghanistan and Kampuchea. Similarly U.S. delegates CROCKETT and WON PAT enunciated U.S. principles, accomplishments, and policies of human rights and energy.

Third, eliminating references in resolutions prejudiced against the United States: Through action by Representative DANIELSON and myself, many references critical of U.S. policies were eliminated from draft resolutions. For example, an original draft resolution contained criticism of U.S. military assistance to the Duarte government in El Salvador. Drafting committee efforts by Representative DANIELSON were important to accomplish deletions of these references and prevent one-sided criticism of the Duarte government for human rights violations in El Salvador.

In one session, I was confronted with proposed resolution language that represented one-sided criticism of the Reagan administration decision to develop and deploy enhanced radiation weapons—neutron bomb. Despite concerted efforts by the U.S.S.R., Eastern bloc and Cuban delegations, no reference to neutron bombs is contained in any final documents to the conference.

As Members will notice when they read the final report our delegation will issue in print shortly, any of the resolutions adopted by the Havana IPU meeting contain provisions that we, as Representatives of the American people, could not accept. On the other hand, some results of the meeting offer useful encouragement for parliaments and governments to direct their efforts toward practical and productive activity—such as in the areas of arms control, the strengthening of parliamentary government, and in dealing with energy challenges. In one resolution on parliamentary relations with governments, the IPU has unanimously agreed on supporting an approach that urges and I quote:

All states to establish and unconditionally guarantee fundamental human freedoms and, in particular, to defend freedom of assembly and association within the framework of periodic elections, the will of the voters and their right to freedom of speech and opinion, freedom of expression—particularly in parliaments—and the free reporting of parliamentary proceedings; and calls on parliaments to watch over the exercise of their prerogatives.

As we consider the situation in Poland and the various threats to parliamentary democracy throughout the

world, and as we consider how much other parliamentary systems fail to show the strength of our own, it is important that some international organization point the finger directly at what should be our fundamental role and concern. Sadly in many places in the world, the expressions of high purpose that come from meetings such as the IPU are not followed by actions in fact. Freedom of assembly, regular elections, freedom of speech and opinion are regrettably not as fully respected elsewhere as in the United States, and we should do what we can to extend these rights. The IPU has made a contribution toward this objective, ironically even in Cuba.

It was a distinct honor for me to serve as chairman of the delegation to the IPU meeting last fall and an honor and pleasure to work together with other Members of the House in a situation that was not always comfortable or pleasant.●

INTERPARLIAMENTARY UNION LEAGUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIELSON) is recognized for 5 minutes.

Mr. DANIELSON. Mr. Speaker, the gentleman from Illinois (Mr. DERWINSKI) was kind enough to take a special order to report to the House of Representatives on our activities last fall at the Interparliamentary Union League in Havana, Cuba. It was to say the very least a rollicking experience.

The structure of that particular conference—I have gone to more than one of these—had some departure from the norm in that the presiding officers and the like were all people adherent of the Eastern or Communist bloc, and those of us with differing points of view had some rather interesting parliamentary situations in making our voices heard.

I want to state that the gentleman from Illinois (Mr. DERWINSKI) and I were the only two who finally went to Havana. Apparently there were some there on an earlier week but for the final sessions Mr. DERWINSKI and I were there alone, and I understand some of our colleagues felt that the political implications of visiting Cuba were rather strong meat and they did not choose to have that in a year before an election.

We had a great time and Mr. DERWINSKI was a magnificent leader of our two-person delegation. We took them on from wherever they came, always from the left, but we took them on wherever they were, and I think we did an excellent job of making the point of view of the free world heard. We pointed out the difficulty of free debate when the cards were obviously stacked against you.

The interesting thing was that before that meeting was over we began to find a little bit of support out of such diverse places as the newer African republics who themselves thought it was a pretty good idea to be able to speak up freely.

□ 1600

I am pleased to report that our brethren from the British Commonwealth, those from the British Isles themselves, from England, our good friends from Canada on the north and those wonderful Aussies from down in Australia did line up with us and I can tell you that although we were outvoted from time to time, in fact quite often, our voices were heard and they did not run over us. They thought they had run over a patch of brambles.

It was a pleasure for me to serve with Ed DERWINSKI in that meeting. He deserves great credit for supporting the principles of the United States of America. I am looking forward to that kind of battle any time it comes along.

RESCISSION OF PATIENT PACKAGE INSERTS RULE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. ROGERS) is recognized for 5 minutes.

● Mr. ROGERS. Mr. Speaker, during the congressional recess, the Reagan administration took a major step toward preserving stability in the price that consumers pay for prescription drugs. I am referring to the recent decision by Health and Human Services Secretary Richard Schweiker to rescind a regulation called patient package inserts.

This regulatory program developed by the Food and Drug Administration (FDA) would have required extensive and highly technical information leaflets for more than 400 different drug products. Industry sources estimate that the PPI regulations would easily cost more than \$100 million annually and could eventually exceed \$1 billion if FDA were to expand the rule and require these leaflets for all drugs that are on the market.

While the Congress is certainly in favor of consumer information, it is my belief that Secretary Schweiker has made the correct decision. His decision to rescind the patient package insert rule does not mean that the Federal Government is denying consumers access to important drug information. On the contrary, withdrawal of the regulation will mean that drug manufacturers, pharmacists, physicians, and other health care professions will have the freedom to fashion cost-effective voluntary informational programs for the general public—ones that will give the public needed information without prohibitive costs.

According to the National Association of Chain Drug Stores, Inc. (NACDS), a strong opponent to the so-called PPI scheme from its inception, and the Begley Drug Co., which is headquartered in my congressional district, FDA's regulation would have short changed consumers by limiting their access to drug information primarily to one source; namely the agency's leaflets. Such a result, in my opinion, would not be in the best interest of consumers and would not be a sensible approach to take in these times of growing consumer interest in health care matters. Rather than limiting the dissemination of drug information to leaflets by regulation, we should be encouraging innovation in the competitive marketplace. I have reviewed public testimony of the NACDS that was recently presented at public hearings held by FDA Commissioner Hayes on this issue and I am very encouraged by the number of different informational activities that are already in place in chain pharmacies. It would be my guess that we will see more of these voluntary programs from community pharmacies and the industry in the future simply because this rigid rule will be abandoned.

Of equal importance to the Congress is that the proposed rescission of the PPI regulation will also mean considerable cost savings to private paying customers who purchase their medications out of pocket and savings to State Medicaid programs which provide drugs to needy recipients. The drug leaflets would have added significant costs to Medicaid at a time when the Congress is attempting to bring back into control the skyrocketing cost of important programs like Medicaid and Medicare.

In conclusion, I urge my colleagues in the House to join with me in applauding the President, Vice President Bush, Secretary Schweiker and Commissioner Hayes for making a tough but right decision on the PPI rule. I am confident that the consumer will enjoy the benefits of this decision both in terms of the price of the medication which will not be inflated by unnecessary regulation and by the fact that drug information will now be available from a wide range of sources in the marketplace. And I call on the community pharmacies and the industry to implement their voluntary programs to provide consumers with adequate information on drugs.

VIOLENCE IN SPORTS

Mr. LUNGREN. Mr. Speaker, maybe it is because I grew up in southern California and I am not a hockey aficionado, but I do have difficulty understanding the place of violence in that sport. While I did have the opportunity to grow up enjoying football, playing football and knowing what con-

trolled violence is on a sports field, something that occurred in the last couple weeks has bothered me a tremendous amount. My concern is greatest, as a father of small children who watch television and have very impressionable minds as they watch professional sports.

In the last week it is alleged that a member of a professional hockey team was ordered by his coach to leave the bench and engage in a fight. The story suggests that when he refused to do so he found that he was shipped out by that team and his waivers were not picked up by anybody in the league. Unfortunately, the suggestion appears to be that if you are not willing to make it a blood and guts gory battle on the ice, they do not want you in the NHL.

Mr. Speaker, I have not been one of those who has joined some Members in this House in supporting Federal legislation dealing with violence in professional sports because I do not think that ought to be our legislative concern. However, the events of last week made it more difficult for me to continue in that position.

If professional sports in this country want to go back to the days where they were sponsored by the local automobile dealer, and they want to play on back lots or rinks with a couple of hundred people watching them, where barely any kids are going to see them, fine. Then let them go by their rules as long as they do not violate the criminal statutes of the jurisdictions in which they find themselves.

But if professional sports are going to continue to occupy a privileged position in this society; if they are going to be on national television, if every youngster is going to be told in America he should look up to sports figures as idols, if every youngster in America is going to have an opportunity to collect pictures of his favorite players, to go out and see them and to emulate them; if we hold them up in society as models, if national television is going to continue to expose these sports, then I think professional sports in this society has an obligation to police their own. But is this being done?

One of the problems that I noticed several years ago while watching professional football, for instance, was the fact that some of the commentators seem to delight whenever there would be a violation of the rules that was not caught. You might remember the scene of a wide receiver going down the field when he was not thrown the ball, and a defensive back with some vengeance trying to clothes line him; or you may recall when a player wrote a book called "The Assassin," talking about the greatness of violence in professional sports outside the regularized rules.

But at least I think we have seen some improvement in that area. I think the National Football League has responded to some complaints of the citizens. If you watch the broadcasts now I do not think you see the expressions of delight being made by those commentators when they see isolated acts of violence outside the rules.

I think we ought to be assured as members of this society that an institution such as the National Hockey League is going to take action to stop the seeming tremendous avocation of violence outside the rules before it overtakes hockey.

I am not a hockey expert. Yet I do recall a few years ago joining in the feelings of patriotism that most Americans had when the U.S. amateur Olympic team beat the Russians. We enjoyed that because of the fact that we had amateurs representing our country beating what was a professional team of Russians. But in addition to that, I think we enjoyed it because it was hockey as a sport. There was skill involved and exhibited. There was no dedication to violence and it became an enjoyable pastime for people to enjoy. It was not something of grade B TV stuff where you watch sluggers rather than players who practice their profession with some skill.

My thought to the NHL and some of the people in it is, if you want to have or be fighters, we have professional boxing in most States of the Union. If you want to fight, put your gloves on, follow the rules, and be judged accordingly.

I suspect most of the fighters in the NHL would not make very good boxers. If you have watched their form they really do not seem to do a whole lot. But in fact, there seems to be a persuasive attitude of violence that is increasing. And we ought to speak out against it.

As a Member of Congress who does not believe that we ought to take Federal jurisdiction in this, I am taking advantage of the opportunity I have to speak before this audience and to my fellow Members as an expression of concern. But I do think it is a concern that ought not to go unnoticed. It is a concern that is real. Frankly, I think those who have those positions of authority in the National Hockey League ought to remember that there is legislation that has been introduced with a number of cosponsor that would create Federal jurisdiction of a criminal nature for violence in professional sports.

That being the case, I think they ought to look to clean up their own house before others outside their house make an effort to do it for them.

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from California (Mr. LUNGREN) is recognized for 15 minutes.

ORDER OF BUSINESS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent that my special order follow the special order of the gentleman from Illinois (Mr. DERWINSKI) in today's RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

FIGHT RECESSION NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 5 minutes.

● Mr. REUSS. Mr. Speaker, I include an article by myself and James K. Galbraith, executive director of the Joint Economic Committee, which appeared in the Washington Post on January 12, 1982.

FIGHT RECESSION NOW

With the predictable failure of the "supply-side miracle" to materialize following the passage of the Reagan tax and spending cuts, the administration has focused its vision resolutely on the distant future. Its spokesmen ready huge new budget cuts for fiscal 1983, which doesn't begin for nine more months. For 1984, the president will permit no tax increases, though perhaps a little "revenue enhancement." And the recovery promised by the Reagan "Economic Recovery Program" recedes every day like a desert mirage.

Meanwhile no one seems concerned about our immediate problems: today's recession and 8.9 percent unemployment. Almost everyone seems to have taken on faith the word of the consensus forecasters that by mid-1982 natural forces—lower interest rates, pent-up demand for autos and housing, lower inventories—will combine inexorably with the July 1982 tax cuts and with the arms buildup to end the recession and generate economic recovery. Unfortunately, these are the self-same soothsayers who a year ago were predicting that natural forces would forestall a deep recession in the second half of 1981.

Before concluding that we shall be out of the woods by July, we should take note of what administration economic policy is currently up to. Perversely, in the face of recession, macroeconomic policy—taxes, spending and money—is being tightened by fine tuning the wrong way:

TAXES

Social Security payroll taxes rose again on Jan. 1. This was on top of a rise in the Social Security tax rate on Jan. 1, 1981, that more than offset the Oct. 1, 1981, reduction in personal income tax rates for most low- and moderate-income taxpayers. Further, while we wait for the 10 percent tax cut scheduled for July 1, 1982, inflation continues to push workers into higher withholding brackets and so erode real disposable incomes. At the same time, state and local taxes are going up everywhere as these governments struggle to cope with cuts in federal aid that strike at the heart of their ability to deliver vital services.

SPENDING

Last year vast social spending cuts were proposed and adopted on the economic assumption that the economy would shortly boom. Instead of a boom, we now have a brutal recession. Yet, drastic new spending cuts are now proposed.

MONEY

Monetary policy in 1981 was plenty tight. The growth rate of M1B, the most commonly used monetary aggregate (cash plus checking accounts) has been held tightly to the bottom of its target. Yet the administration is sticking to its February 1981 instruction that the Federal Reserve cut the targets for 1982 even further, and the Federal Reserve seems predisposed to comply. The result could be a floor rate of growth for new money in 1982 of only 2.5 percent. This is consistent with no economic recovery in 1982 or, if a recovery occurs, with a rapid return to excruciatingly high interest rates.

Thus the administration's fiscal and monetary policies are combining in the short run to work against any natural forces for recovery. Before next July, when fiscal policy will become more stimulative, a bad situation could become intractable. There is simply no guarantee that this recession won't end up on long-term stagnation, or even in a depression.

What is the solution? Clearly, we don't need a return to fiscal folly or monetary madness, like Richard Nixon's go-for-broke reelection boom of 1971-72. But we equally clearly don't need to compound our recession into depression by restrictive policies as in 1929-33 or 1937. To avoid repeating these fiascos, we should promptly and moderately change course.

TAXES

We should advance the effective date of the July 1, 1982 personal tax reduction to Jan. 1, 1982, and so get the demand stimulus that we need when we need it: right now. At the same time, we should foster a more rapid return to budget balance later by deferring indefinitely the tax cut scheduled for July 1, 1983. Under present law, this cut will occur, by the administration's own forecasts, at exactly the moment when recession will have been replaced by growth and further stimulus could be most dangerously inflationary.

SPENDING

We should hold the line on spending at the real levels of fiscal 1982 just enacted by Congress. Further cuts at this time would mean a deeper recession, aggravated unemployment and personal suffering and social strife. Maintaining spending, furthermore, by promoting economic growth, would ultimately shrink the deficit. Revenues would increase, and unemployment-related expenditures decline. A few weeks ago the administration manipulated upward its forecasts of economic growth so as to bring its forecasted deficits down from politically catastrophic levels. If reducing deficits by increasing growth is worth doing on paper, why not do it for real?

MONEY

The Federal Reserve should be told by the president not to tighten money any further this year. A hold-the-line order on the 1982 monetary target ranges, coupled with an injunction to hit the upper half instead of the bottom of the target ranges, could help guarantee liveable levels of interest rates and so permit economic recovery to begin.

But if we now change fiscal and monetary policy from restrictive to neutral, what about inflation? Clearly, if we reject the notion of beating inflation through recession as a costly and ineffective chimera, then we must come up with a better solution. There is one: growth plus a social contract between labor and government, based on negotiation and compromise rather than confrontation and struggle, in which labor trades wage moderation for social and political gains. Other countries, like little Austria, have proved that a social contract can achieve close to full employment with close to no inflation.●

SOVIET ADVENTURISM IN THE HORN OF AFRICA REGION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. WILSON) is recognized for 10 minutes.

● Mr. WILSON. Mr. Speaker, in the recent past, one of the major areas of Soviet adventurism has been in the Horn of Africa region.

This strategic region forming the soft underbelly of the Persian Gulf region, controls access to the Red Sea and the Mediterranean from the Indian Ocean and constitutes the gateway to East Africa.

Soviet interest in this area dates back to 1971 in South Yemen which now has become the most secure satellite of the U.S.S.R. in the Third World and the only Marxist Arab state. Thereby, Moscow has acquired a naval and air base at Aden which is located at a few miles of the Bebel-Mandeb Straits. While the Soviet Somali adventure did not end well—the Soviets had to leave Somalia in 1978. In 1977, the Soviet Union acquired substantial influence over the most powerful country in the region: the Ethiopian Empire. Today the Soviets control all of the Horn except Somalia and Djibouti. They are building an air and naval base at the Dahlak archipelago off the coast of Eritrea and are exploiting Ethiopia as a rearward base to undermine General Nimriy's regime in the Sudan which is also menaced by Libya. In August 1981, the tripartite pact between Libya, South Yemen, and Ethiopia brought Libyan development funds and terrorist knowhow to Ethiopia against Somalia and Djibouti.

The relative Soviet success was achieved in part by Cuban troops, by East German advisers to the secret police and by Soviet advisers attached to the civilian and military authorities in Ethiopia. The Soviet presence must be effectively counterbalanced and contained. The invasion of Afghanistan by the Soviet Union caused the Carter administration to initiate the first measures of containment by signing the August 1980 agreement with Somalia, Kenya, and the Sultanate of Oman for air and naval facilities for our nascent RDF.

Our policy took a low-key approach in the case of Somalia: \$40 million in FMS was promised for 2 years as well as some economic support funds which is too little to make an appreciable difference and too much as not to arouse Ethiopian fears. The latter was caused by the ongoing guerrilla struggle in the Ogaden province, an area administered by Ethiopia since 1948 after a short British administration. The province was reconquered by Cuban troops, in 1978 in a war lasting over 1 year, from the local Somalis and Somali army which came to their support. Our aid to Somalia was only increased marginally in fiscal year 1982.

At the present, the Reagan administration continues to increase aid slightly, but it has not yet defined an effective containment policy in the Horn region. It is for this reason that I, with 63 of my colleagues, wrote to Secretary of State Alexander M. Haig, Jr., on October 20, 1981, asking for higher levels of aid and closer strategic relations with Somalia. We have received a generally positive response from Richard Fairbanks, Assistant Secretary of State for Congressional Relations on December 15, 1981. May I ask for unanimous consent to insert into the RECORD the two letters and an appropriate Op-Ed page article by Z. Michael Szaz, Ph. D., which appeared in the September 28, 1981, issue of the New York Times and the international Herald Tribune? Dr. Szaz is studies program director of the American Foreign Policy Institute and former associate professor of international law and relations at Seton Hall and Troy State Universities.

Also, I would like to reiterate my major concerns which are shared by many of my colleagues and to propose appropriate measures to effect a containment and progressive challenge to the Soviet, Cuban, and East German presence in this region.

We must provide the necessary military and economic assistance to our friends in the region; that is, to the Sudan and Somalia. The administration performed effectively in the case of the Sudan and we have reason to believe that the crisis in the Sudan is over. The same consideration in terms of extending accelerated and substantial arms deliveries and providing economic support funds has yet to be applied to Somalia.

The Somali Army, which lost half of its mechanized equipment in the Ogaden war and remains exposed to repeated air attacks by Ethiopia in the bordering areas that include most of the refugee camps, needs large-scale assistance in order to provide a credible defense against Cuban and Ethiopian forces poised at the border. Our defense experts estimate that it would take about \$500 million during a 5-year period to retrain and re-equip the Somali forces. While budgetary rea-

sons may prevent us from supplying the entire amount, we must provide at least the technology-intensive items and must work closely with the Somali military command. We believe that Saudi Arabia might provide financing for the remainder of the equipment and that Egypt would help with Somali procurement. Nevertheless even this limited contribution would cost more than what the present FMS levels have appropriated or planned for Somalia.

We must also increase our ESF and development assistance. Without finding some employment for the refugees, we will perpetuate an unproductive camp life for them and create another Palestinian problem. While the administration and Congress were more generous with refugee aid and development assistance—\$30 million ESF was appropriated in fiscal year 1982—the effort must be expanded in fiscal year 1983 and fiscal year 1984 if we want the survival of a stable, pro-Western Somalia.

In the past, there were two guiding examples for large-scale refugee problems. One example was the German case where approximately 12 million refugees and expellees were dumped into West Germany between 1945-47. By 1952, they were absorbed into the national economy and provided with the manpower and many of the skills and comparable to the German "economic wonder." This would have been, of course, impossible, without the Marshall plan which provided the impetus to accelerated economic development and political stabilization.

The other example is that of the Palestinian refugees on the West Bank, the Gaza Strip, and southern Lebanon. Generations were brought up in the camps since 1948, with little productive experience and low self-esteem, providing the manpower for the terrorist activities of the PLO in order to arouse international public opinion about their plight and lack of self-determination.

It is up to us which direction the Somali refugees will have to take. For the sake of justice and peace as well as our national interest, I hope that the administration will choose adequate assistance so that the Somali economy may develop substantially and that political stability may be preserved in Somalia.

Only by strengthening the Sudan and Somalia will the Soviets and their allies be contained in the Horn region and then, we can acquire secure access to their facilities. I trust the administration will move in this direction and hope both the administration and the House will divorce themselves of the commendable, but illusory notion that by not supporting Somalia we may regain Ethiopia as a Western ally.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 20, 1981.
Hon. ALEXANDER HAIG, Jr.,
Secretary of State, Department of State,
Washington, D.C.

DEAR SECRETARY HAIG: We, the undersigned members of the U.S. House of Representatives, would like to call your attention to our continuing important interests in Somalia and to recent developments which threaten the peace and stability of the Horn region in Africa.

Particularly, we refer to the August 1981 pact between Libya, Ethiopia and South Yemen, "the latter two Soviet surrogates whose military, economic and state security systems are controlled by Soviet and East German 'advisors'". In the case of Ethiopia, 17,000 Cuban mercenaries are also present. Especially, the Ethiopians remain on inimical terms with Somalia because of the past support Somalia extended to the indigenous national liberation movement of the Somalis in the Ogaden which is administered by Ethiopia. Ethiopian planes bombed repeatedly this year Somali villages and refugee camps.

In addition, both Ethiopia and South Yemen support the "National Salvation Front", a group of pro-Communist Somali exiles in Ethiopia which is trying to subvert the legitimate government of President Siad Barre of Somalia.

At the present, Ethiopia and the Cuban mercenaries have complete military superiority as the Ethiopian army has received \$1.5 billion worth of military equipment from the U.S.S.R. in 1978 and continues to receive military aid from Moscow. Somalia lacks both fighter planes and anti-aircraft batteries.

Somalia is also threatened by the coming influx of Libyan money and terrorist know how which will be directed against its government by the leaders of Libya and the Soviet surrogates in the Horn area.

We believe that the increased threats to Somalia must be answered by a clear American commitment to our Somali allies in the political, military and economic fields.

May we suggest that the Department of State take any measures necessary to communicate this commitment both to the Somali government and to our regional adversaries and the Soviet Union and that we accelerate our various economic and military programs to Somalia, including the early delivery of the anti-aircraft batteries contracted for by Somalia.

We also call upon the Administration to reevaluate our present aid programs, military and economic, to Somalia in the light of the recent developments in the region, especially the tragic assassination of President Anwar Sadat of Egypt, and submit concrete proposals for enhancing the security and stability of Somalia which is providing us with air and naval facilities badly needed by our RDF.

With every good wish, we are

Very sincerely yours,

Arlen Erdahl, G. William Whitehurst, Robin Beard, Don Ritter, Delbert Latta, Millicent Fenwick, Robert J. Lagomarsino, Bob Stump, Charles Wilson, William L. Dickinson, Samuel Stratton, Arlan Stangeland, Robert K. Dornan, Gus Yatron, James Nelligan, Robert Badham, Richard Schulze, Thomas Bliley, Jack F. Kemp, Douglas Bereuter, Bob Livingston, Henry Hyde, Eldon Rudd, Guy Vander Jagt, Bill Boner, Sam B. Hall, Jr., Roy

Dyson, Lawrence Coughlin, Jack Fields, Olympia J. Snowe, Daniel Mica, Christopher H. Smith, Larry Winn, Thomas B. Evans, Jr., Bill Chappell, Jr., Thomas Petri, G. V. Montgomery, Charles Stenholm, Robert A. Young (Mo.), Benjamin A. Gilman, Marjorie S. Holt, L. A. Balfis, John LeBoutillier, Harold Sawyer, John H. Rousselot, Daniel Crane, Frank R. Wolf, Mark Siljander, George Hansen, Billy Tauzin, Claudine Schneider, Stan Parris, Floyd Spence, Vin Weber, Melvin Price, Paul Trible, Robert McClory, Eugene Atkinson, Thomas F. Hartnett, John M. Ashbrook, Edward J. Derwinski, Philip M. Crane, John Edward Porter, Cooper Evans.

DEPARTMENT OF STATE,
Washington, D.C., December 10, 1981.
Hon. CHARLES WILSON,
House of Representatives.

DEAR MR. WILSON: The Secretary has asked me to respond to the letter dated October 20, 1981, from you and several of your Congressional colleagues expressing your views regarding U.S. Government assistance programs for Somalia. As you suggest, the current political climate, especially the August Ethiopia-Libya-South Yemen Tripartite Agreement, warrants our increased attention to developments in the region. The Administration is keenly aware of these and other potential threats to Somalia, a country whose friendship we value both for political and strategic reasons.

You may recall that acknowledgment of Somalia's important geographical location in the Horn of Africa and the Somali Government's willingness to promote a cooperative relationship with us led to the negotiation of an agreement with the Somalis last year which allows us access to Somali air and naval facilities, thereby increasing our ability to respond to Soviet challenges in the Southwest Asian area. Although we have not linked specific amounts of military or economic assistance to that agreement, we have expressed a clear interest in Somalia's territorial integrity, security and economic development. In this connection we initiated a Foreign Military Sales relationship with Somalia and the Congress approved a request to provide a total of \$40 million in FMS credits to Somalia for fiscal years 1980 and 1981. This Administration's fiscal year 1982 budget proposal includes another \$20 million in FMS credits for Somalia.

In recognition of Somalia's critical air defense needs, we concurred in Somalia's request to use the FMS credits for early warning radars and air defense guns. The Somalis have recently revised their request in favor of more urgently needed transportation, communications and engineering equipment. We are reevaluating Somali needs in an effort to be responsive as quickly as possible.

Moreover, we have recently scheduled more frequent U.S. Navy calls at Somalia ports, established an Office of Military Cooperation in Mogadishu and included Somalia in the RDF exercise "Bright Star." These steps convey clear signals that we are committed to friendship with Somalia.

The military relationship is only one aspect of our growing assistance ties with Somalia. We believe that the U.S. also has a humanitarian and development role to play in providing assistance to lessen Somalia's refugee burden and assisting the country in

realizing its economic potential, particularly in agriculture, which is vital to the country's future stability. Towards these ends, the U.S. Government has been the most substantial contributor in response to a UNHCR appeal for Somali refugee relief, providing about \$45.5 million in food and non-food assistance in 1981. In addition, the Administration's FY 1982 budget proposal includes \$36.2 million designated for development assistance in Somalia.

The Department greatly appreciates your interest and support for our efforts to assist Somalia.

Yours sincerely,

RICHARD FAIRBANKS,
Assistant Secretary
for Congressional Relations.●

LOCAL FLEXIBILITY FOR PUBLIC HOUSING OPERATING ASSISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, I am today introducing a bill that would provide public housing authorities greater flexibility in the use of Federal funds that are allocated to them for various purposes. It is no secret that most public housing authorities throughout the country, both large and small, are in serious financial difficulties because of the very high rate of inflation, the astronomical increases in utility costs, the large number of very-low-income people residing in public housing units, and the administration's efforts to curtail the Federal Government's operating subsidies for public housing authorities.

The public housing authority in my city, the Chicago Housing Authority, is probably the most vivid example of the financial difficulties that public housing authorities find themselves in today. We have one of the largest authorities in the country with the most difficult financial and social problems of any public housing authority. Past management difficulties and legal problems have put our authority in a situation that causes the authority to live from month-to-month on the verge of financial bankruptcy. Without any changes in the existing law, the Chicago Housing Authority could very well close up shop within the next few months.

What I believe needs to be done in my city at this time is not to provide additional Federal funds for the development of new public housing authority units, but to preserve the huge Federal investment already made in public housing units in Chicago. My constituents find it almost impossible to understand the fact that the Federal Government is willing to provide new funding for additional units while at the same time unable to provide funds to maintain an adequate and

decent living situation for its current tenants.

My bill would give a local public housing agency the authority to decide for itself whether to use the public housing development funds for its own operational needs or to build new units. In addition, it would provide that the authority could use those development funds that are already in the pipeline for its operational needs rather than for new units that are in the planning stage.

With a Federal investment of almost \$33 billion in public housing units, it seems to me that at this time of curtailment of Federal social programs, it is in the best interest of the taxpayers and the tenants in public housing to manage, upgrade, and modernize the existing facilities rather than build new ones. We have a crying need in this country for reinvestment in the public infrastructure of both the Federal and local government, and I believe that my bill begins to address this great need.●

NATIONAL SPACE POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BROOKS) is recognized for 5 minutes.

● Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous material.

Mr. Speaker, on a recent trip to Texas I had the pleasure of visiting the Lyndon B. Johnson Space Center in Houston. While I was there I met with several people from the Houston Section of the American Institute of Aeronautics and Astronautics. I was most favorably impressed by this group and found their proposal concerning our Nation's space policy to be meritorious and worthy of consideration. I am putting the AIAA policy statement in the CONGRESSIONAL RECORD for the enlightenment of the Members:

NATIONAL SPACE POLICY: A PROPOSAL BY THE HOUSTON SECTION—AIAA

Historically, the United States has provided, to the benefit of the entire world, dynamic leadership in the discovery, development and application of new technology, through its natural resources and the imagination, innovation and vitality of its people. For the first time, this leadership is in danger of being assumed by others. Both the commercial and security implications are disturbing—and even unacceptable—to many informed Americans.

With the Space Shuttle, our nation has reached a threshold in space operations capability. We have within our grasp the opportunity to lay the foundation for space industrialization and utilization that can play a crucial role in the future economic, military and scientific strength of our country. A thrust in this direction is a logical continuation of our previous accomplishments. It utilizes our unparalleled experience and talents to provide a real investment in the

future with unlimited opportunity and challenge for industry, defense and science to the benefit of the public, both domestic and foreign.

The industrialization of space over the next twenty years involves the assembly, deployment, routine servicing and maintenance of commercial space systems, many of which will be very large and complex. This, in turn, will require a significant expansion in our manned space operations capability for maximum utilization, cost effectiveness, and security. It is our view that our national space objectives would best be served with a national space operations system which includes the Space Shuttle; free-flying support platforms for science and applications payloads; a reusable orbit-to-orbit transfer vehicle for transporting unmanned and manned payloads between low earth and geosynchronous orbits; and a permanently manned operations center in low earth orbit. This operations center will be used to assemble and service space vehicles and systems, to conduct on-board experiment and development work, and to permit the progressive development of the engineering and operations capabilities to reduce dependence on ground support. This system will form a basic capability for employing space to provide for the security of the United States and to preserve peace in the world.

Toward these ends, in behalf of all Americans, the Houston Section of AIAA proposes a National Space Policy with which the United States can lead the world into a new industrial revolution. We ask for a bold commitment to a goal of placing a permanent manned operations center in low earth orbit and the operational deployment of space-based manned orbital transport spacecraft by 1990. In addition to the enormous direct economic benefits available from such a goal, the capability inherent in its achievement is a direct step toward mankind's twenty-first century vision of bold and vigorous exploration and utilization of space—our ultimate frontier.●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LUNGREN) to revise and extend their remarks and include extraneous material:)

Mr. CORCORAN, for 5 minutes, today.

Mr. DERWINSKI, for 60 minutes, today.

Mr. ROGERS, for 5 minutes, today.

Mr. LUNGREN, for 15 minutes, today.

Mr. LEACH of Iowa, for 30 minutes, today.

(The following Members (at the request of Mr. PEASE) to revise and extend their remarks and include extraneous material:)

Mr. REUSS, for 5 minutes, today.

Mr. WILSON, for 10 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. BROOKS, for 5 minutes, today.

Mr. COELHO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LUNGREN) and to include extraneous matter:)

Mr. SAWYER.

Mr. LEWIS.

Mr. JEFFORDS.

Mr. OXLEY.

Mr. FINDLEY.

Mr. WORTLEY.

Mr. BROWN of Ohio.

Mrs. SCHNEIDER.

Mr. MICHEL.

Mr. EVANS of Delaware.

Mr. BEARD.

Mr. McDADE.

Mr. BETHUNE.

Mr. WAMPLER in two instances.

Mr. GUNDERSON.

Mr. PORTER in two instances.

(The following Members (at the request of Mr. PEASE) and to include extraneous matter:)

Mr. LEVITAS.

Mr. HUCKABY.

Mr. LaFALCE in three instances.

Mr. FAZIO.

Mr. TRAXLER in two instances.

Mr. HOYER in two instances.

Mrs. COLLINS of Illinois.

Mr. GAYDOS.

Mr. DE LA GARZA in 10 instances.

Mr. AuCOIN in two instances.

Mr. STUDDS.

Mr. EDWARDS of California.

Mr. OTTINGER in four instances.

Mr. HAMILTON.

Mr. GORE.

Mr. DOWNEY.

Mrs. SCHROEDER in two instances.

Mr. SKELTON.

Mr. FRANK.

Mr. SCHUMER.

Mr. HERTEL.

Mr. RODINO.

Mr. JONES of Tennessee.

Mr. EDGAR.

Mr. WYDEN.

Mr. FUQUA.

Mr. FOLEY.

Mr. MARKEY.

ADJOURNMENT

Mr. DANIELSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Thursday, February 4, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2962. A letter from the Comptroller General of the United States, transmitting his review of the proposed rescission and defer-

als of budget authority contained in the message of the President dated November 10, 1981 (H. Doc. No. 97-106), pursuant to section 1014 (b) and (c) of Public Law 93-344 (H. Doc. No. 97-139); to the Committee on Appropriations and ordered to be printed.

2963. A letter from the Acting General Counsel, United States General Accounting Office, transmitting a report on the status of budget authority that was proposed for rescission, but for which Congress failed to pass a rescission bill; to the Committee on Appropriations.

2964. A letter from the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics), transmitting a report on the performance of Defense Department commercial and industrial-type functions, pursuant to section 502(c) of Public Law 96-342; to the Committee on Armed Services.

2965. A letter from the Deputy Assistant Secretary of Defense (Facilities, Environment, and Economic Adjustment), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken by the Army National Guard, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2966. A letter from the Deputy Assistant Secretary of Defense (Facilities, Environment, and Economic Adjustment), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken by the Army Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2967. A letter from the Deputy Assistant Secretary of the Air Force (Installations), transmitting a report on Air Force military construction contracts awarded without formal advertising during fiscal year 1981, pursuant to section 604 of Public Law 96-418; to the Committee on Armed Services.

2968. A letter from the Secretary of Housing and Urban Development, transmitting an evaluation of the impact of the urban development action grant program; to the Committee on Banking, Finance and Urban Affairs.

2969. A letter from the Secretary of the Army, transmitting a report on voluntary agreements entered into by the Army, pursuant to section 708(1) of the Defense Production Act of 1950 as amended; to the Committee on Banking, Finance and Urban Affairs.

2970. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on loan, guarantee, and insurance transactions supported by Eximbank during August, September, and October 1981, to Communist countries; to the Committee on Banking, Finance and Urban Affairs.

2971. A letter from the Comptroller, Washington Gas Light Co., transmitting the balance sheet of the company as of December 31, 1981, pursuant to section 8 of the act of March 4, 1913; to the Committee on the District of Columbia.

2972. A letter from the Deputy Secretary of Energy, transmitting notice of a delay in submission of the annual report on coordination of Federal energy conservation standards for buildings, required by section 597 of Public Law 96-294; to the Committee on Energy and Commerce.

2973. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the quarterly report for the period July through September 1981, on imports of crude oil, residual fuel oil, refined petroleum products,

natural gas, and coal; reserves and production of crude oil, natural gas, and coal; refinery activities; and inventories; together with data on exploratory activity, exports, nuclear energy, and electric power, pursuant to section 11(c)(2) of the Energy Supply and Environmental Coordination Act of 1974, as amended; to the Committee on Energy and Commerce.

2974. A letter from the Vice President for Government Affairs, National Railroad Passenger Corporation, transmitting a report covering the month of August 1981, on the average number of passengers per day on board each train operated, and the ontime performance at the final destination of each train operated, by route and by railroad, pursuant to section 308(a)(2) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Energy and Commerce.

2975. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting the proposed allocations to countries and international organizations of the economic support fund, military assistance program, international military education and training, and peacekeeping operations for fiscal year 1982, pursuant to section 653(a) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2976. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Korea for permission to transfer certain U.S.-origin military equipment to Korean private firms, pursuant to section 3(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2977. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting notice of a delay in submission of the first annual report on the status of U.S. policy to encourage an international strategy to prevent production and trafficking in narcotics, pursuant to section 502(b) of Public Law 97-113; to the Committee on Foreign Affairs.

2978. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2979. A letter from the Assistant Secretary of Housing and Urban Development for Administration, transmitting notice of a proposed new records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2980. A letter from the President, Phelps-Stokes Fund, transmitting the final financial report on the Ralph J. Bunche memorial project, pursuant to section 1(b) of Public Law 96-596; to the Committee on House Administration.

2981. A letter from the Acting Assistant Secretary of the Interior for Indian Affairs, transmitting a proposed plan for the use and distribution of the Oregon Confederated Tribes of the Umatilla Reservation judgment funds awarded in Dockets 342-70 and 343-70 before the U.S. Court of Claims, pursuant to section 2(a) and 4 of Public Law 93-134; to the Committee on Interior and Insular Affairs.

2982. A letter from the Acting Assistant Administrator, Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting notice of the withdraw-

al of the final rules published July 8, 1981, by NOAA implementing the Federal consistency provisions of section 307(c)(1) of the Coastal Zone Management Act, pursuant to section 12 of Public Law 96-464; to the Committee on Merchant Marine and Fisheries.

2983. A letter from the Comptroller General of the United States, transmitting certification of his verification of selected expenses of the President and Vice President during fiscal year 1980 and the period ended January 20, 1981, pursuant to 3 U.S.C. 105(d) and 106(b); to the Committee on Post Office and Civil Service.

2984. A letter from the Deputy Assistant Secretary of Agriculture for Administration, transmitting a report on specially qualified scientific and professional positions established in the Department of Agriculture during calendar year 1981, pursuant to 5 U.S.C. 3104(c); to the Committee on Post Office and Civil Service.

2985. A letter from the Director, office of Personnel Management, transmitting a report on the Federal equal opportunity recruitment program, pursuant to section 310 of the Civil Service Reform Act of 1978; to the Committee on Post Office and Civil Service.

2986. A letter from the Chairman, Board of Governors of the U.S. Postal Service, transmitting the annual report of the Postmaster General for fiscal year 1981, pursuant to 39 U.S.C. 2402; to the Committee on Post Office and Civil Service.

2987. A letter from the Chairman, U.S. International Trade Commission, transmitting the 64th annual report of the Commission, pursuant to section 332(g) of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

2988. A letter from the Administrator, National Aeronautics and Space Administration, transmitting notice of the proposed development of the new, lightweight structure for the rocket booster of the Space Shuttle, pursuant to section 4(3) of Public Law 97-96; to the Committee on Science and Technology.

2989. A letter from the Comptroller General of the United States, transmitting a report on the need to use conclusive medical evidence as the basis for granting black lung benefits (HRD-82-26, January 19, 1982); jointly, to the Committees on Government Operations, Education and Labor, and Ways and Means.

2990. A letter from the Comptroller General of the United States, transmitting a report on enforcement of U.S. import admissibility requirements (GGD-82-12, January 25, 1982); jointly, to the Committees on Government Operations and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STRATTON (for himself, Mr. PRICE, Mr. BENNETT, Mr. MINISH, and Mr. HORTON):

H.R. 5432. A bill to authorize the presentation on behalf of the Congress of a specially struck gold medal to Admiral Hyman George Rickover; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ANNUNZIO:

H.R. 5433. A bill to amend the United States Housing Act of 1937 in order to provide public housing agencies more flexibility in the use of funds allocated to them; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BAFALIS (for himself and Mr. GIBBONS):

H.R. 5434. A bill to amend the Internal Revenue Code of 1954 to allow certain partnerships to continue to report income on the cash method; to the Committee on Ways and Means.

By Mr. BEARD (for himself, Mrs. FENWICK, Mr. PARRIS, Mrs. BOUQUARD, Mr. BENEDICT, Mr. SAM B. HALL, Jr., and Mr. GOODLING):

H.R. 5435. A bill to eliminate the special Federal income tax benefits enacted during 1981 with respect to the living expenses of Members of Congress; to the Committee on Ways and Means.

By Mr. BIAGGI:

H.R. 5436. A bill to amend title II of the Social Security Act to restore minimum benefits for future beneficiaries; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself, Mr. PEPPER, Mr. MINISH, Mr. WORTLEY, Mr. RICHMOND, Mr. ADDABBO, Mr. STARK, Mr. EDGAR, Mr. SCHEUER, Mr. WEISS, Mr. STRATTON, Mr. ANNUNZIO, and Mr. DOWNEY):

H.R. 5437. A bill to limit availability and use of handgun bullets that are capable of penetrating certain body armor; to the Committee on the Judiciary.

By Mr. CORCORAN:

H.R. 5438. A bill to amend the Internal Revenue Code of 1954 to further limit the deduction allowable to Members of Congress for living expenses; to the Committee on Ways and Means.

By Mr. DICKS:

H.R. 5439. A bill to amend title 5 of the United States Code to require the Office of Personnel Management to provide Federal employees and annuitants an annual opportunity to transfer enrollments between health benefit plans; to the Committee on Post Office and Civil Service.

By Mr. ERDAHL:

H.R. 5440. A bill to amend the Internal Revenue Code of 1954 to increase the age by which distributions from certain retirement plans must begin; to the Committee on Ways and Means.

By Mr. GLICKMAN (for himself, Mr. WATKINS, and Mr. CLAUSEN):

H.R. 5441. A bill to amend the United States Synthetic Fuels Corporation Act of 1980 to provide that biomass shall be included in the definition of synthetic fuel; jointly to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and Agriculture.

By Mr. GUARINI:

H.R. 5442. A bill to provide that public works projects of the Army Corps of Engineers in areas of high unemployment shall utilize not less than 40 per centum local workers; to the Committee on Public Works and Transportation.

H.R. 5443. A bill to delay for 3 months (until November 1, 1981) the effective date of the recently-enacted amendments to title II of the Social Security Act which generally eliminate child's insurance benefits in the case of children over age 18 who are in college; to extend (through September 1982) the period within which a child must have been already enrolled at the college level in order to fall within the special exception

permitting payment of such benefits; and to extend by one year (through mid-1986) the period during which such benefits may continue to be paid in the case of a child falling within such exception; to the Committee on Ways and Means.

By Mr. HAMMERSCHMIDT:

H.R. 5444. A bill to amend the Small Business Act to strengthen the role of the small, innovative firms in federally funded research and development, and to utilize Federal research and development as a base for technological innovation to meet agency needs and to contribute to the growth and strength of the Nation's economy; to the Committee on Small Business.

H.R. 5445. A bill to amend the Internal Revenue Code of 1954 to regulate and limit collection procedures of the Internal Revenue Service in order to provide protection of taxpayer civil rights, and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. HARKIN:

H.R. 5446. A bill to provide that adjustments in the rates of pay for Members of Congress shall take effect at the beginning of the Congress following the Congress in which they are approved, and for other purposes; jointly, to the Committees on Post Office and Civil Service and Rules.

By Mr. JONES of Tennessee (for himself and Mr. JEFFORDS) (by request):

H.R. 5447. A bill to extend the Commodity Exchange Act, and for other purposes; to the Committee on Agriculture.

By Mr. LUNGREN (for himself and Mr. McCOLLUM):

H.R. 5448. A bill to establish procedures for imposition of the death penalty for Presidential assassination, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 5449. A bill to amend title 18, United States Code, to restrict certain activities of former intelligence employees and other American citizens; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 5450. A bill to amend the Federal Election Campaign Act of 1971 to reduce multicandidate political committee contribution limits; to the Committee on House Administration.

H.R. 5451. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for real estate taxes imposed on tenants; to the Committee on Ways and Means.

H.R. 5452. A bill to repeal the changes made by the Omnibus Budget Reconciliation Act of 1981 in the trigger provisions contained in the extended unemployment compensation program; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 5453. A bill to amend the Internal Revenue Code of 1954 to provide that the 1982 individual income tax rate reductions made by the Economic Recovery Tax Act of 1981 be given a full year effect for purposes of withholding, and for other purposes; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 5454. A bill to amend the Internal Revenue Code of 1954 to limit the deduction of living expenses by Members of Congress and to eliminate the provision which allows such deduction without substantiation of such expenses; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 5455. A bill to amend the act of July 2, 1962, to authorize intrastate quarantines under extraordinary emergency conditions; to the Committee on Agriculture.

By Mr. WAMPLER (for himself and Mr. DE LA GARZA):

H.R. 5456. A bill to amend the Plant Quarantine Act of August 20, 1912, as amended, to eliminate certain unnecessary regulatory requirements; to the Committee on Agriculture.

By Mr. HAWKINS:

H.J. Res. 400. Joint resolution to authorize and direct the Secretary of the Interior, subject to the supervision and approval of the Franklin Delano Roosevelt Memorial Commission, to proceed with the construction of the Franklin Delano Roosevelt Memorial, and for other purposes; to the Committee on House Administration.

By Mrs. SCHNEIDER:

H.J. Res. 401. Joint resolution amending the Department of Transportation and Related Agencies Appropriation Act, 1982, to permit grants to the National Railroad Passenger Corporation to be used to pay certain taxes or fees; jointly, to the Committees on Appropriations and Energy and Commerce.

By Mr. HERTEL:

H. Con. Res. 264. Concurrent resolution expressing the sense of the Congress that the President should impose against the Union of Soviet Socialist Republics additional economic sanctions, including an embargo on the sale of grain produced in the United States; to the Committee on Foreign Affairs.

By Mr. JONES of Oklahoma:

H. Con. Res. 265. Concurrent resolution concerning tax-exempt status of private schools; to the Committee on Ways and Means.

By Mr. PEASE:

H. Con. Res. 266. Concurrent resolution protesting payments by U.S. Government agencies with respect to defaulted Polish loans; to the Committee on Foreign Affairs.

By Mr. de la GARZA (for himself and Mr. WAMPLER):

H. Res. 341. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Agriculture in the second session of the Ninety-seventh Congress; to the Committee on House Administration.

By Mr. BOLAND:

H. Res. 342. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Permanent Select Committee on Intelligence in the second session of the Ninety-seventh Congress; to the Committee on House Administration.

By Mr. BROOKS:

H. Res. 343. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Government Operations in the second session of the Ninety-seventh Congress; to the Committee on House Administration.

By Mr. DeNARDIS:

H. Res. 344. Resolution acknowledging March 29, 1982, as the 100th anniversary of the founding of the Knights of Columbus, and commending such organization for a century of dedicated public service; to the Committee on Post Office and Civil Service.

H. Res. 345. Resolution to amend the Rules of the House of Representatives regarding the consideration in the House of a bill or resolution which adjusts the pay or affects the limitations on outside earned income of Members; to the Committee on Rules.

H. Res. 346. Resolution to amend the Rules of the House of Representatives with respect to the disposition of a motion to re-

consider a voice vote on final passage of legislation which adjusts the pay or affects the limitations on outside earned income of Members; to the Committee on Rules.

By Mr. ST GERMAIN:

H. Res. 347. Resolution to provide amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Banking, Finance and Urban Affairs in the second session of the Ninety-seventh Congress; to the Committee on House Administration.

By Mr. WYDEN:

H. Res. 348. Resolution expressing the sense of the House of Representatives with respect to the rights of residents in certain health care facilities; jointly, to the Committees on Ways and Means and Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

247. By Mr. WILLIAM J. COYNE: Memorial of the Senate of the Commonwealth of Pennsylvania, relative to Poland; to the Committee on Foreign Affairs.

248. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to defense cuts; to the Committee on Armed Services.

249. Also, memorial of the Legislature of the Territory of Guam, relative to the annual payment bill; to the Committee on Interior and Insular Affairs.

250. Also, memorial of the Legislature of the Territory of Guam, relative to Federal-territorial relations; to the Committee on Interior and Insular Affairs.

251. Also, memorial of the Legislature of the State of Alaska, requesting that Congress propose an amendment to the Constitution of the United States, or in the alternative, call a convention for the purpose of proposing an amendment, to require a balanced Federal budget; to the Committee on the Judiciary.

252. Also, memorial of the Senate of the Commonwealth of Pennsylvania, relative to reduction of services by the Corps of U.S. Army Engineers; to the Committee on Public Works and Transportation.

253. Also, memorial of the Legislature of the Territory of Guam, relative to national tuition tax credit legislation; to the Committee on Ways and Means.

254. Also, memorial of the Legislature of the State of California, relative to the Mediterranean fruit fly; jointly to the Committees on Ways and Means and Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Mr. KILDEE, Mr. WHITEHURST, Mr. HERTEL, Mr. NEAL, Mr. HUBBARD, Mr. FOLEY, and Mr. EMERSON.

H.R. 768: Mr. MINISH and Mr. GEJDENSON.
H.R. 769: Mr. JOHN L. BURTON and Mr. ALBOSTA.

H.R. 789: Mr. MCCOLLUM.
H.R. 852: Mr. MITCHELL of Maryland, Mr. STARK, and Mr. FOGLIETTA.

H.R. 1513: Ms. MIKULSKI.
H.R. 1514: Ms. MIKULSKI.
H.R. 1515: Ms. MIKULSKI.
H.R. 1516: Ms. MIKULSKI.

H.R. 1517: Ms. MIKULSKI.

H.R. 2280: Mr. FAZIO, Mr. GEPHARDT, Mr. AUCCOIN, Mr. PICKLE, Mr. STARK, Mr. VENTO, Mr. DAN DANIEL, Mr. GUARINI, Mr. EDGAR, Mr. BEDELL, and Mr. GRADISON.

H.R. 3269: Mr. WHITEHURST, Mr. DECKARD, Mr. ROBERTS of Kansas, Mr. O'BRIEN, Mr. FLIPPO, Mr. CLAUSEN, Mr. JOHNSTON, and Mr. BROOMFIELD.

H.R. 3575: Mr. DAVIS, Mr. EVANS of Georgia, Mr. FOLEY, Mr. HAGEDORN, Mr. LOEFFLER, Mr. MCHUGH, Mr. MARLENEE, Mr. NOWAK, Mrs. ROUKEMA, and Mr. SCHUMER.

H.R. 3600: Mr. NOWAK.

H.R. 4014: Mr. WHITEHURST.

H.R. 4070: Mr. JACOBS, Mr. SABO, Mr. VENTO, Mr. EDWARDS of California, Mr. MOAKLEY, Mr. D'AMOURS, Mr. LEHMAN, Mr. YATES, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. STARK, Mr. MOTT, Mr. FOGLIETTA, Mr. MCKINNEY, Mr. MAVROULES, Mr. APPELGADE, Mr. PATTERSON, Mr. OBERSTAR, and Mr. PANETTA.

H.R. 4147: Mrs. SCHROEDER.

H.R. 4157: Mr. HARKIN.

H.R. 4227: Mr. RINALDO, Mr. CHAPPELL, Mr. HORTON, Mr. SIMON, Mr. LAFALCE, Mr. AKAKA, Mr. HERTEL, Mr. ROSENTHAL, Mr. GINGRICH, Mr. FORSYTHE, Mr. SMITH of Iowa, Mr. FRANK, Mr. STOKES, Mr. GRAY, Mr. DOUGHERTY, and Ms. OAKAR.

H.R. 4325: Mr. MCGRATH.

H.R. 4330: Mr. BAFALIS, Mr. COLEMAN, Mr. DUNCAN, Mr. ERDAHL, Mr. JOHNSTON, and Mr. PETRI.

H.R. 4334: Mr. BAFALIS, Mr. COLEMAN, Mr. DUNCAN, Mr. JOHNSTON, and Mr. PETRI.

H.R. 4399: Mr. BRINKLEY, Mr. BOWEN, Mr. CHENEY, Mr. MCEWEN, and Mr. PRICE.

H.R. 4535: Mr. MAVROULES, Mr. WHITEHURST, and Mr. MATSUI.

H.R. 4709: Mr. WOLF and Mr. QUILLEN.

H.R. 4835: Mr. MORRISON, Mr. MCKINNEY, Mr. DYSON, and Mr. MARRIOTT.

H.R. 4863: Mr. LENT.

H.R. 4882: Mr. BEILSON, Mr. FROST, Mr. HERTEL, Mr. FOGLIETTA, Mr. BRODHEAD, Mr. FAZIO, Mr. OTTINGER, Mr. LOWRY of Washington, Mr. WEAVER, Mr. HUGHES, Mr. ECKART, Mr. SEIBERLING, Mr. STUDDS, Mr. KOGOVSEK, Mr. BARNES, Mr. DASCHLE, Mr. WOLFE, and Mr. GEPHARDT.

H.R. 5093: Mr. FORSYTHE.

H.R. 5147: Mr. BLILEY.

H.R. 5163: Mr. STRATTON and Mr. JAMES K. COYNE.

H.R. 5238: Mr. FISH, Mr. ROE, Mr. WOLF, Mr. RINALDO, Mr. HUGHES, Mr. SMITH of Pennsylvania, Mr. YATRON, Mr. MATSUI, Mrs. CHISHOLM, Mr. DAUB, Mr. FOGLIETTA, Mr. SCHUMER, Mr. MOLINARI, Mr. SOLARZ, Mr. EDWARDS of California, Mr. LEHMAN, Mr. FAUNTROY, Mr. DONNELLY, Mr. TRAXLER, Mr. CORRADA, Mr. MITCHELL of Maryland, Ms. MIKULSKI, Mr. YATES, Mr. GORE, Mr. OBERSTAR, Mr. EDGAR, Mr. SIMON, Mr. MAZZOLI, Mr. MURPHY, Mr. SANTINI, Mr. O'BRIEN, Mr. MITCHELL of New York, Mr. MINETA, Mr. KASTENMEIER, Mr. WON PAT, Mr. HOWARD, Mrs. COLLINS of Illinois, Mr. MCKINNEY, Mr. D'AMOURS, Mr. FRANK, Mr. GEJDENSON, Mr. PEPPER, Mr. ROSENTHAL, Mr. BINGHAM, Mr. FORD of Tennessee, Mr. GUARINI, Mr. BONIOR of Michigan, Mr. KILDEE, Mr. DELLUMS, Mr. PATTERSON, Mr. WHITEHURST, Mr. SMITH of Alabama, Mr. ROTH, Mr. ROBERTS of Kansas, Mr. SUNIA, Mr. ERTLE, Mr. CROCKETT, Mr. VENTO, Mr. PRITCHARD, Mr. MARKEY, Mr. STOKES, Mr. FAZIO, Mr. LANTOS, Mr. KOGOVSEK, and Mr. RATCHFORD.

H.R. 5264: Mr. ROSENTHAL and Mr. ROYBAL.

H.R. 5323: Mr. BEREUTER, Mr. PEASE, and Mr. PETRI.

H.R. 5332: Mr. SHANNON.

H.R. 5334: Mr. BROWN of Ohio, Mr. ECKART, Mr. LATTI, Mr. MCEWEN, Mr. MILLER of Ohio, Mr. MOTT, Mr. PEASE, and Mr. WILLIAMS of Ohio.

H.R. 5338: Mr. KILDEE, Mr. FRANK, Mr. BROWN of Colorado, Mr. MOTT, Mr. EMERY, Mr. SMITH of Alabama, Mr. DREIER, Mr. DOWDY, Mr. MORRISON, Mr. BINGHAM, Mr. KOGOVSEK, Mr. LOWERY of California, Mr. SAM B. HALL, Jr., Mr. STRATTON, Mr. BEARD, Mr. ROEMER, Mr. LOEFFLER, Mrs. FENWICK, Mr. FROST, and Mr. DENARDIS.

H.R. 5341: Mr. SOLOMON, Mr. DENARDIS, Mr. BROWN of Colorado, Mr. WALGREN, Mr. STANGELAND, Mr. ROBERTS of Kansas, Mr. HAMILTON, Mr. O'BRIEN, Mrs. FENWICK, Mr. FRANK, Mr. FITHIAN, Mr. ATKINSON, Mr. LEE, Mr. SMITH of New Jersey, Mr. SANTINI, Mr. HOLLENBECK, Mr. LOEFFLER, Mr. ROEMER, Mr. LUJAN, Mr. BEDELL, Mr. LAGOMARSINO, Mr. FLORIO, and Mr. HOPKINS.

H.R. 5356: Mr. SYNAR and Mr. BLANCHARD.
H.J. Res. 225: Mr. MINETA, Mr. BONER of Tennessee, Mr. HAWKINS, Mr. BENEDICT, Mr. MARRIOTT, Mr. AUCCOIN, Mr. BEARD, Mr. PEYSER, Mr. FORD of Tennessee, Mr. VANDER JAGT, Mr. WILSON, Mr. SNYDER, Mr. MCCLOSKEY, Ms. FIEDLER, Mr. DICKS, and Mr. WORTLEY.

H.J. Res. 316: Mrs. CHISHOLM, Mr. FRANK, Mr. PERKINS, Mr. ARCHER, Mr. ROBERTS of South Dakota, Mr. STANTON of Ohio, Mr. ST GERMAIN, Mr. OTTINGER, Mr. RITTER, Mr. OBERSTAR, Mr. MITCHELL of New York, Mr. DONNELLY, Mr. LOWERY of California, Mr. ROSE, Mr. MOAKLEY, Mr. DICKS, Mr. DYSON, Mr. GINN, Mr. RICHMOND, Mr. FISH, Mr. HAWKINS, Ms. FERRARO, Mr. DAVIS, Mr. KEMP, Mr. MCHUGH, Mr. LENT, Mr. STUMP, Mr. JONES of North Carolina, Mr. SILJANDER, Mr. FOGLIETTA, Mr. MORRISON, Mr. UDALL, Mr. SWIFT, Mr. PETRI, Mr. CHAPPIE, Mr. CAMPBELL, Mr. FITHIAN, Mr. PAUL, Mrs. HOLT, Mr. HUGHES, Mr. HAMILTON, Mr. KRAMER, Mr. FOUNTAIN, Mr. BONKER, Mr. JOHNSTON, and Mr. DELLUMS.

H.J. Res. 354: Mr. MCKINNEY, Mr. BEVILL, Mr. CARNEY, Mr. PANETTA, and Mr. COLLINS of Texas.

H.J. Res. 387: Mr. WILSON, Mr. WEAVER, Mr. EDWARDS of California, Mr. FASCELL, Mr. SCHUMER, Mr. PRICE, Mr. FORD of Michigan, Mr. BEILSON, Mr. LAFALCE, Mr. ZEFERETTI, Mr. MINISH, Mr. DUNN, Mr. ROE, Mr. CLAY, Mr. NELSON, Mr. CLINGER, Mr. EDGAR, Mr. LEACH of Iowa, Mr. D'AMOURS, Mr. WORTLEY, Mrs. SCHNEIDER, Mr. SEIBERLING, Mr. RAHALL, Mr. DYSON, and Mr. WHITLEY.

H.J. Res. 394: Mr. FORD of Michigan, Mr. LEVITAS, Mr. WILSON, Mr. WIRTH, Mr. PICKLE, Ms. FERRARO, Mrs. FENWICK, Mr. RAHALL, Mr. BURGNER, Mr. SOLOMON, and Mr. DREIER.

H. Con. Res. 219: Mr. WOLF, Mr. ADDABBO, Mr. COLLINS of Texas, and Mr. MCCOLLUM.

H. Con. Res. 222: Mr. ANTHONY.

H. Con. Res. 236: Mr. MOAKLEY, Mr. OTTINGER, Mr. GILMAN, Mr. RICHMOND, Mr. HEFNER, Mr. WEISS, Mr. FOGLIETTA, Mr. FORD of Michigan, Mr. SCHEUER, Mr. OBERSTAR, Mr. GRAY, Mr. FISH, Mr. DELLUMS, Mr. YATES, Mr. BONIOR of Michigan, Mr. DENARDIS, Mr. CORCORAN, Mr. EMERY, Mr. SANTINI, Mr. D'AMOURS, Mr. ROE, Mr. FAZIO, Mr. ARCHER, Mr. MARRIOTT, Mr. GUARINI, Mr. PATTERSON, Mr. VENTO, Mr. MATSUI, Mr. OXLEY, Mr. KEMP, Mr. WHITEHURST, Mr. MURTHA, Mr. BARNES, Mr. FOLEY, Mr. EVANS of Delaware, Mr. KASTENMEIER, Mr. LEE, Mr. HUBBARD, Mr. LOWRY of Washington, and Mr. GINGRICH.

H. Con. Res. 255: Mr. BEDELL, Mr. HORTON, Mr. WILSON, Mr. ROE, Mr. JEFFRIES, Mr.

VENTO, Mr. EDGAR, Mr. DONNELLY, and Mr. NOWAK.

H. Con. Res. 260: Mr. ROBERT W. DANIEL, Jr., Mr. MINETA, Mr. RANGEL, Mr. ROSE, Mr. TAYLOR, Mr. NELLIGAN, Mr. DUNCAN, Mr. TRAXLER, Mrs. FENWICK, Mr. RAHALL, Mr. GRAY, and Mrs. COLLINS of Illinois.

H. Res. 243: Mr. KRAMER.

H. Res. 265: Mr. COURTER.

H. Res. 269: Mr. BARNES, Mr. SIMON, Mr. ARCHER, Mr. LONG of Maryland, Mr. AU COIN, Mr. BEDELL, Mr. FROST, Mr. WILLIAM J. COYNE, Mr. YOUNG of Missouri, Mr. COLLINS of Texas, and Mr. MCCOLLUM.

H. Res. 321: Mr. DENARDIS, Mr. BROWN of Colorado, Mr. WALGREN, Mr. STANGELAND, Mr. ROBERTS of Kansas, Mr. HAMILTON, Mr. SMITH of New Jersey, Mr. WEAVER, Mrs.

FENWICK, Mr. FRANK, Mr. FITHIAN, Mr. ATKINSON, Mr. LEE, Mr. SANTINI, Mr. LAGOMARSINO, Mr. LOEFFLER, Mr. ROEMER, Mr. LUJAN, Mr. BEDELL, Mr. FLORIO, and Mr. HOPKINS.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

336. By the SPEAKER: Petition of James C. Gates, Montgomery, Ala., relative to appropriations for veterans' jobs programs; to the Committee on Appropriations.

337. Also, petition of the National Association of State Park Directors, Annapolis, Md., relative to establishment of a Civilian

Conservation Corps II program; to the Committee on Education and Labor.

338. Also, petition of Antal Apró, President of the National Assembly of the Hungarian People's Republic, relative to relations between the United States and Hungary; to the Committee on Foreign Affairs.

339. Also, petition of Dr. Roberto Sacasa, Miami, Fla., relative to El Salvador; to the Committee on Foreign Affairs.

340. Also, petition of Harold E. Trammell and others, Washington, D.C., relative to abuses of the Internal Revenue Service; to the Committee on Ways and Means.

341. Also, petition of Arthur Johnson, Boulder, Colo., relative to excise taxes on alcohol and tobacco; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

TAX BURDEN MUST BE EASED
FOR CERTAIN FARMERS

HON. L. A. SKIP BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. BAFALIS. Mr. Speaker, the 1976 Tax Reform Act imposed an unintentional burden on citrus groves and other farms operated as a partnership. So, I have today introduced legislation to provide relief from that burden and to allow the individual partners of a farming partnership to continue their productive investment role, rather than forcing them to sell their interests either to larger agribusinesses or to commercial real estate developers.

The general practice of citrus grove and other farming partnerships is to use a cash method of accounting, as allowed by the code. However, section 447 of the code, provides that any farm partnership which includes a certain type of corporation as a partner must use an accrual method of accounting. Therefore, a partnership could be forced to convert from the cash to the accrual method if a corporate partner's gross receipts rise above a fixed statutory level, if a corporate partner loses its small business corporation status because of the death of a shareholder or an internal dispute, or if a corporate partner is no longer owned by a family because of the death of a family member. Such changes are beyond the influence of the individual partners, yet these individuals suffer the consequences of a change in method of accounting.

The conversion to an accrual method results in an acceleration of income and a deferral of deductions. This creates an added tax liability for each partner, distorts cash flow of the operation, and may make participation in the farm partnership no longer an economically worthwhile venture for individual partners. Consider the real possibility that the tax liability on a partner's accrual income will approach or exceed the actual cash that can be distributed if the farm is to remain in operation. This can cause the partners to force the partnership to sell its land to condominium or other developers in order to liquidate what has become an uneconomical investment. This is of great concern to us in Florida.

Even if the partnership does not sell its land, its partners are at a disadvantage with respect to farming partnerships that have no corporate partners.

This is a form of unfair tax discrimination.

Whatever the merits of this penalty for what were thought to be shelter situations, the law had trapped those partnerships that were already in operation with a corporate partner when section 447 was enacted in 1976. The individual partners in such a situation are powerless to protect themselves from the adverse tax consequences of changes in the circumstances of an existing corporate partner. A partnership formed after the enactment of section 447 had fair warning of the potential consequences of taking on a corporate partner, but the partnership that was already in business had no such protection.

The bill that I propose today would rectify this situation. It provides a fair solution to a problem that inflation or death may bring upon citrus grove and other farm partnerships. Solely for those partnerships that were engaged in the trade or business of farming when section 447 was enacted and which at that time had a corporate partner that is no longer exempt, an election could be made to allow the individual partners to continue to report on the cash basis while the corporate partner reports on the accrual basis.

It is a common practice today for partnerships to keep their accounting records on a cash basis, thus recording income and expenses when received or paid during the year, and to make appropriate accrual adjustments at the end of the year. Farming operations generally will need only three such adjustments to produce accrual basis information for the corporate partner—first, recording yearend receivables, second, establishing the inventory value of both growing and unsold crops, and third, recording accrued and prepaid expenses and accounts payable.

Prompt action is essential because of the time for filing 1981 partnership returns and 1981 tax returns of the individual partners of April 15, 1982. Given the tax agenda last year, it was not possible to consider such a seemingly minor matter as this legislation in the context of the 1981 Economic Recovery Tax Act. However, that circumstance will also lead to a painful situation for those who are required to file 1981 returns on the accrual basis. The legislation rectifies the problem without disturbing any of the rationale underlying the enactment of section 447 of the Internal Revenue Code.

I invite the support of my colleagues on this legislation and ask unanimous consent that the text of the bill be printed in the RECORD.

H.R. 5434

A bill to amend the Internal Revenue Code of 1954 to allow certain partnerships to continue to report income on the cash method

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DOUBLE METHOD OF ACCOUNTING

Section 447 of the Internal Revenue Code of 1954 (relating to method of accounting for corporations engaged in farming) is amended by adding after subsection (h) the following new subsection:

"(i) SPECIAL RULE FOR ELECTING PARTNERSHIPS—

"(1) ELIGIBILITY FOR ELECTION.—A partnership shall be permitted to make an election under this subsection only if—

"(A) on October 4, 1976, and at all times thereafter, the partnership was engaged in the trade or business of farming; and

"(B) subsection (a) would apply (but for this subsection) solely because a corporation which was a partner on October 4, 1976, and at that time was described in subsection (c), is no longer so described.

"(2) TIME FOR ELECTION.—A partnership must make the election under this subsection on or before the return date for the first taxable year of the partnership which begins on or after the end of the first taxable year of the corporate partner in which it is no longer described in section (c).

"(3) METHOD OF MAKING ELECTION.—A partnership shall make an election under this subsection using a method prescribed by the Secretary in regulations.

"(4) ELECTION.—A partnership may elect to compute its income under both the method specified in subsection (a) and the method used in the year preceding the year when subsection (a) became applicable. An electing partnership shall file returns reporting income under each method and shall keep such records as the Secretary may prescribe. If a partnership makes an election under this subsection—

"(A) A partner which is a corporation which is not described in subsection (c) shall report its distributive share of income and credits (including the distributive share of any section 481 adjustments resulting from a change in accounting method) based upon the partnership computation of income under the method specified in subsection (a), and

"(B) the remaining partners shall report their distributive shares of income and credits based upon the partnership computation of income under the method used in the year preceding the year when subsection (a) became applicable."

SEC. 2. EFFECTIVE DATE

The amendments made by this Act shall apply to taxable years ending after December 31, 1980.●

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

GEORGIA HOUSE OF REPRESENTATIVES URGES CONGRESS TO PASS LEGISLATION RELATIVE TO THE DEATH PENALTY

HON. LARRY P. McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. McDONALD. Mr. Speaker, on January 22, 1982, the Georgia House of Representatives adopted a resolution urging the Congress of the United States to pass legislation providing for a sentence of death in a State court to be reviewed only once in the Federal judiciary by the U.S. Supreme Court on direct appeal from the highest appellate court of a State. This request is being made on behalf of the citizens of Georgia and in order for those States who have a death penalty to carry out such sentences without unnecessary delay due to the cumbersome and lengthy appellate procedures in the Federal courts. Such delays are not only costly to the taxpayers but are repugnant to the concept of swift and sure punishment.

The position taken by the Georgia House of Representatives is an example of positive thinking at the State level. We at the Federal level would do well to heed their call and act to limit the Federal Government, at all levels—executive, legislative, and judiciary—to those functions outlined by the Constitution and leave those matters reserved to the States to the States. As the Georgia House of Representatives resolution points out, perhaps the most flagrant example of Federal interference is the numerous obstacles that the Federal judiciary has imposed on the States in the area of criminal justice.

I commend the resolution and the proposal of the Georgia House of Representatives to the full consideration and careful attention of my colleagues:

A RESOLUTION

Urging Congress to pass certain legislation relative to the death penalty; and for other purposes.

Whereas, the greatest concern to the citizens of this state is the dramatic increase in violent crime; and

Whereas, the people do not understand why the death penalty is not enforced in the same manner as other laws and punishment; and

Whereas, the complex legal system, especially involving the federal courts, is being used to delay the carrying out of death penalties; and

Whereas, the State of Georgia has 91 offenders on Death Row, some of whom have been under a sentence of death for over eight years; and

Whereas, the appeals procedure is very expensive for Georgia's taxpayers and time consuming for the Attorney General's office which is required to represent the state in all postconviction proceedings; and

Whereas, at any given time seven attorneys in the Attorney General's office are working on death penalty litigation at an annual cost of \$280,000.00 to the taxpayers of this state; and

Whereas, the State of Georgia has adopted a unified motion for review procedure in cases where the sentence of death has been imposed; however, such unified procedure is virtually meaningless with the cumbersome and lengthy appellate procedures in the federal courts. Now, therefore, be it

Resolved, by the House of Representatives that the members of this body do hereby urge the Congress of the United States to pass legislation providing for a sentence of death in a state court to be reviewed only once in the federal judiciary by the United States Supreme Court on direct appeal from the highest appellate court of a state.

Be it further resolved, That the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of this resolution to each member of the Georgia Congressional Delegation.●

ABOLISH THE SYNTHETIC FUELS CORPORATION

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. OTTINGER. Mr. Speaker, I have joined with six of my colleagues in introducing legislation to abolish the very symbol of corporate welfare: the Synthetic Fuels Corporation.

The existence of the Synthetic Fuels Corporation today only confirms the most cynical view of the Federal Government. For while we make low- and middle-income Americans suffer increasing hardship in the name of economic recovery, we give out billions of dollars in loan guarantees to Exxon and Texaco, among America's richest corporations—billions for uneconomic ventures that the private sector will not finance.

The administration wants to virtually eliminate programs to promote energy conservation and the use of renewable resources. It wants to eliminate energy aid for the poor, the elderly, and for schools and hospitals. It does all this in the name of "letting the marketplace work its magic." Yet the administration is willing to endorse almost \$15 billion in loan guarantees for wealthy corporations.

I supported the Energy Security Act of 1980, the legislation creating the Synthetic Fuels Corporation. I did so because the legislation offered a variety of energy initiatives, all too important to be sacrificed because of one bad provision. The bill was, in fact, a political package. It was designed to insure a broad response to the energy crisis, as well as insure its own passage. Provisions included:

Creation of the Solar and Conservation Bank, to provide money for individuals to make energy saving investments in their homes.

Support for alcohol fuels projects, to help create renewable sources of liquid fuels.

A municipal waste to energy program.

A requirement that 25 percent of the windfall profit tax be used to provide relief from high energy prices for low income and elderly Americans.

A variety of programs to increase the Nation's energy efficiency.

The Reagan administration has gutted every one of these initiatives, either by cutting their budgets or blithely refusing to administer the programs.

In the wake of the Reagan attack on what was once a balanced energy program, all that is left standing is a multibillion dollar Chrysler-type bailout of the nuclear industry, and billions in subsidies for oil and gas companies. The Synthetic Fuels Corporation is one of those subsidies, one of many.

We have not been able to stop the Reagan "Robin Hood in reverse" policy of taking from the poor and middle income and giving to the rich. The President proved that last year during votes on both the budget and the tax bill. But we can try to slow that massive, distorted redistribution of income just a bit.

If we cannot afford to feed all of our children properly, if we cannot afford to keep all of our people warm in winter, if we cannot afford to provide proper education and health care to all Americans, then we cannot afford to force the American taxpayer to bankroll our richest corporations.

We cannot afford the Synthetic Fuels Corporation.●

SPECIAL TAX DEDUCTION FOR CONGRESS—REPEAL

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. BEARD. Mr. Speaker, today I am introducing legislation to repeal, totally, the special tax deductions that Congress voted itself just before the Christmas holiday recess. I believe very strongly that this action was deceptive, self-serving, and unwise. It was an insult to the American people and a stain on the honor of this body; we would do well to repeal that action as soon as possible.

My complaint is with both the substance and the procedure of the special tax deduction action.

Substantively, the action was nothing less than an indirect pay raise. Under the regulations issued by the Treasury Department to implement the new law many of our colleagues may have little if any tax to pay. In other words, Congress has voted itself

into virtually a tax-exempt status. That is an insult to every American who has to suffer under the burden of the Federal tax bite every year, a tax bite that I might emphasize is so burdensome because of the spending habits of this very body.

Rewarding this Congress with a pay raise at a time when the Nation's economy is reeling from the effects of literally years of reckless economic policy is arrogant and insensitive. It was the Congress that spent this country into fiscal ruin, with massive increases year after year in Federal spending. This uncontrolled spending has caused runaway inflation, sky-high interest rates, and now the inevitable result: high unemployment.

Procedurally, the action was done in ways that were confusing at best, downright deceptive at worst. When the tax break bill came through the House, it was not voted upon on the record but was passed without a recorded vote when many Members were away from the floor. The whole process took about 30 seconds.

The next day the Senate submerged the tax bill into a vitally needed piece of legislation to restore the black lung trust fund to solvency. When the new combined bill came back to the House we were not given the opportunity for a separate vote or a full debate, only one up-or-down, take-it-or-leave-it vote on the black lung and congressional tax deduction provisions together. Votes on bills as important as Members' own compensation should be taken separately and in the open.

Therefore, in addition to this bill to repeal the tax breaks, I am jointly introducing a separate piece of legislation along with my colleague, BILL GOODLING of Pennsylvania, that is designed to prevent this type of legislative chicanery in the future. This is a House resolution that will change the legislative rules of procedure of this body to require that from now on any bill that affects the pay or benefits of House members as a separate and distinct group must be voted upon separately from any other piece of legislation and that the vote on such a bill must be recorded. Under these new legislative procedure rules passing pay raises for Members, whether indirect or direct, must be done out in the open and on the record.

The people have a right to know what their Congress is doing. One of the greatest problems this democracy—or any democracy—faces is a loss of faith in the elected institutions that govern the Nation. We as an elected body have no greater duty than to keep faith with those who sent us here.

I have announced earlier and I reiterate today that should this body fail to pass the repeal legislation I am introducing, I will not accept the tax

breaks that were passed last December.

I also include for the record the text of the bill to repeal the tax breaks and the text of the resolution to change the House rules to require a separate and recorded vote on any bill affecting Members' compensation.

Thank you, Mr. Speaker.

THE BILL

That the allowability of any deduction under the Internal Revenue Code of 1954 for living expenses of Members of Congress (including any Delegate and Resident Commissioner) shall be determined under the law as in effect on December 31, 1980, and without regard to any law enacted after such date.

THE RESOLUTION

That rule VIII of the Rules of the House of Representatives is amended by inserting at the end thereof the following new clauses:

"4. The yeas and nays shall be considered as ordered when the Speaker puts the question upon final passage or adoption, as the case may be, of any bill or resolution that would economically affect Members of Congress or Members of the House of Representatives as a separate and distinct class.

"5. It shall not be in order in the House to consider any bill or resolution which would be subject to clause 4 unless the bill or resolution is comprised solely of items which would economically affect Members of Congress or Members of the House of Representatives as a separate and distinct class."●

TRIBUTE TO DICK BOLLING

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1982

● Mr. RODINO. Mr. Speaker, I am proud to join my colleagues in honoring one of our most illustrious colleagues, DICK BOLLING. When the distinguished chairman of the Rules Committee retires to private life at the end of 1982, the House of Representatives will lose one of its most intelligent, knowledgeable, and courageous leaders.

I will personally miss his presence here as a friend, a confidant, and a colleague who always speaks his mind and never swerves from principle. When DICK BOLLING and I came to Congress together in 1949, he set out to learn the workings of the committees and House procedures, and in the process became a master legislative strategist. I knew right from the start that my classmate—this blunt Missourian with great intellect and integrity—would become an effective legislator, but I did not know then the tremendous impact he would have on this institution. For the past three decades, he has been the pulse of the House of Representatives, as a champion of programs which carried our country toward greater social justice and of re-

forms which set Congress on the road to greater accountability to the public.

Working tirelessly at the right hand of Speaker Sam Rayburn, DICK BOLLING started in the early 1950's building a congressional coalition that would yield the landmark civil rights legislation of the 1950's and 1960's as well as the Great Society programs of President Johnson's administration. He has always viewed his job as Congressman from Missouri as a way to transform dreams into reality for millions of Americans who lack equal job opportunities, decent housing, basic nutrition and health care, and old age security. It was my privilege to work with DICK BOLLING through many of the tough legislative battles, many of which we won because of his diligence and persistence.

In the early 1970's, his vision and expertise moved the Congress to become more responsive to the growing public pressure for fiscal restraint by the Federal Government. The 1974 Budget Reform Act, which he crafted, has done more than any other reform to shape the way the House addresses national policy today. DICK BOLLING knew the tremendous impact of this act when he stated: "Congress needed to balance its love of Federal spending with its distaste for levying taxes." Once again, my friend from Missouri was setting the tone for congressional action in the decade ahead.

DICK BOLLING's ideas, as an author of two books about the House, as a Congressman and as a leader of his party, have become a part of the Congress and will remain so for decades to come. He has dedicated his professional life to improving this institution's service to the American people and its contributions to our democracy.

I'm certain that whatever he chooses to do in his return to private life, he will find fulfillment, because of his tremendous energy and enthusiasm.

He deserves our best wishes. He's given us his best effort for 33 years.●

DON AUSMUS, INVENTOR OF THE YEAR

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. SKELTON. Mr. Speaker, I call to the Members' attention the fact that on Sunday, February 7, 1982, Donald L. Ausmus, from Independence, Mo., in my congressional district, will be honored by Intellectual Property Owners, Inc., as the Inventor of the Year for 1981.

This award has been given for the last 10 years as a reminder of the fact that good old American know-how is the envy of the world. It is further evi-

dence that our system of intellectual freedom and risk and reward fosters the development of innovations in every field.

Mr. Ausmus has invented a device which he calls the "Moto-stand" and which permits much greater freedom of movement for handicapped individuals. Those who, in the past, were confined to a wheelchair can now pursue gainful employment or hobbies in areas which were formerly out of reach to them.

This is a remarkable invention, remarkable not just because it is an ingenious device but also because it is the product of a remarkable man. Don Ausmus was an outstanding mechanic and a promising and competitive racer in cars and boats as well as motorcycles. In 1975, however, this career was cut short by a motocross racing accident that left him paralyzed from the shoulders down. It is to his credit that this is not the end of his story.

Don combined his unique skills as an innovative mechanic together with his knowledge of the needs of similarly situated handicapped individuals and developed the idea for a stable, motorized, two-wheeled working stand that contained a rechargeable battery. He then proceeded to build working prototypes in his basement for which he has now obtained a patent. With the help of the Advanced Technology Corp. of Kansas City, the product has been produced and marketed and is now available to the world.

Don's outstanding achievement attracted the attention of the Intellectual Property Owners, Inc., a nonprofit group of technologists and innovators, and they chose his work over all others to be honored for 1981, making him their Inventor of the Year.

Mr. Speaker, I am proud to represent my fellow Missourian, Don Ausmus. He may be physically handicapped, but his courage and determination in the face of this setback has enabled him to overcome seemingly insurmountable obstacles and make contributions which benefit us all.●

UKRAINE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. MICHEL. Mr. Speaker, there is an old saying about the uses of adversity. Nowhere is this more evident than in the current crisis in Poland. While the civilized world deplores the Soviet-inspired violence and denial of human rights in Poland, it is clear that these recent events have at least reopened the eyes of the world as to the true nature of Soviet imperialism.

What is happening in Poland is simply another chapter of a long and

tragic story in Eastern Europe. Part of that story of captivity and denial of human rights has taken place in Ukraine.

Let me quote the distinguished Lev E. Dobriansky of Georgetown University, whose reputation as a student of Soviet imperialism is internationally recognized. Recently he wrote:

The independent Ukrainian National Republic, established on January 22, 1918 following the collapse of the Tsarist Russian Empire, was one of the first victims of Soviet Russian imperialism, which in a long series of conquests stalks today in Afghanistan. Like Poland's, the history of Ukraine's resistance to a more immediate Soviet Russian rule has been a long and heroic one. A vital point overlooked in current discussion is Moscow's deep fear of Solidarity's overspill into the Baltic states and Ukraine. For strikes and workers' demands for free unionism have also emerged in Estonia, Ukraine, and federated Russia. As scholars in the field maintain, had Ukraine remained free, Poland and others would not be unfree.

I think we should keep Professor Dobriansky's words in mind in the weeks and months ahead. A spirit is haunting Soviet-dominated Eastern Europe—the spirit of freedom. We should remember that what is happening in Poland is influencing all the neighboring captive nations. We should make this fact a part of our foreign policy considerations.●

SOLIDARITY DAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. HOYER. Mr. Speaker, this past Saturday, an enormous number of Americans took to the streets and proclaimed their allegiance with the principles of Solidarity. Their enthusiasm, their sincerity, and their steadfast support sent a message to our brothers and sisters in Poland, that we are united behind their effort to end the cycle of repression they have faced for centuries.

Solidarnosc, the Polish free trade union movement, represents more than an effort to establish a labor union. Solidarnosc, and its 10 million members, represent a love and loyalty for a country on the brink of economic and political upheaval. It is this love and loyalty that has fortified the spirit of the Polish people and helped them to face the threat of invasion, imprisonment, and martial law. Every American, regardless of ethnic background, can take great pride and solace in the courage shown by the men and women in Poland. We share their pain as they wage their mortal battles, and we look to share their happiness when their efforts are successful.

Lech Walesa and his fellow members of Solidarnosc have become international symbols of the struggle for freedom and dignity. Their fight for self-determination is a battle that must be won. As a movement of peace and hope for Poles, we free men applaud its effort and embrace its cause and encourage its strength.

Mr. Speaker, I commend the millions of Poles who strive for national unity and the right to seek their own destinies. I know that my colleagues join with me in true solidarity with their cause.●

WEST POINT AND MURDER ABORTION A NATIONAL DIS- GRACE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. McDONALD. Mr. Speaker, I think that it is high time that this body gives serious consideration to what is happening to the soul of this Nation. Just before this past Christmas, Phyllis Schlafly completed a column on the fact of outright murder abortion at the most prestigious military academy in the free world. The former rollcall of honor and courage at West Point has become a national disgrace.

People are constantly reminded of genocide by cold blooded atheistic murderers who today attempt to extinct the Hmong tribes of Laos, and the Afghan peoples, even to the point of using poison gas. But more genocide is taking place right here in the United States. It is a known fact that in the past few years alone, we have murdered more innocents by abortion than have been lost in combat in all our wars combined. That is heinous enough.

But now we see the policy instituted and practiced at West Point, the Military Academy for future combat leaders, where female cadets can leave for a weekend, have an abortion, and return to full duty status. Should they choose to have the child, they may take leave time, return to full duty status—so long as they relinquish custody or legal responsibility for the child. This is the most disgraceful episode in the annals of military history.

If this national disgrace is to cease, and we cannot call it anything but a national disgrace, then I earnestly entreat my colleagues to render serious consideration to H.R. 976 that would eliminate the entrance of women to all the military academies. In the name of Judeo-Christian Western civilization can we do no less?

Should one need any further encouragement, please read Phyllis Schlafly's

column of December 22, 1981, which follows:

[From Copley News Service, Dec. 22, 1981]

ABORTIONS AT WEST POINT

(By Phyllis Schlafly)

The U.S. military academy at West Point has secretly put into effect a policy of encouraging abortions and of allowing the cadets who have them to remain in good standing.

The policy induces abortions rather than live births for cadets who have illegitimate pregnancies, and encourages promiscuity by promising confidentiality and no penalties.

The academy's honor code has been a cherished possession of cadets and graduates. It supposedly requires complete integrity in word and deed and is strictly enforced; violations are a cause for dismissal. But, under the new policy, the female cadets who have illegitimate pregnancies are protected against dismissal and are kept in good standing as though they were honorable cadets.

All the female cadet needs to do in order to cover up her fornication and be kept in good standing is to accept counseling and then take a three-day leave over the weekend to have her abortion. If she gets married or has her baby, she will be unceremoniously dismissed from the academy.

This policy is all set forth in a directive called "Counseling Procedures and Administrative Instructions in Cases of Cadet Pregnancies" issued on May 28, 1981, by Col. Harvey H. Perritt Jr., who signs himself chief of staff—deputy post commander. He obviously hoped that the American public would not discover his order because it was stamped "For Official Use Only" plus the warning that "dissemination is prohibited except as authorized" and "criminal statutes and regulations provide penalties for unauthorized removal or disclosure."

The new USMA policy states that pregnant cadets "will have the following options: (1) tender resignation, (2) request leave without pay, (3) take such measures as she determines appropriate, and remain a cadet in good standing unless medically disqualified."

The policy directive continues: "Cadets who wish to remain a cadet may do so provided they meet all medical qualifications. . . . Tactical officers may . . . grant up to three days of leave for cadets who so request in conjunction with pregnancy. . . . Unless circumstances prohibit, this one-time leave will be granted between Friday and Monday. . . ."

It is rather obvious that a "one-time leave" of "three days" is long enough to have an abortion but not long enough to have a baby. Other parts of the policy directive are also crafted to induce abortions.

In order to "meet all medical qualifications" necessary to remain a cadet, she must never be more than three months pregnant. "In the average pregnancy, the point of medical inability to perform duties usually will not be reached until the end of the first trimester, at approximately the 12th week as judged by the surgeon, USMA."

Once the cadet passes that point in her pregnancy, she has lost her chance to request leave without pay, because only "cadets not medically disqualified may request leave without pay for up to one year."

If she requests leave without pay prior to that point in time, she then is subject to another provision in the directive: "Cadets requesting leave may return to USMA, providing they meet the same requirements as for

original admission, to include being medically fit, not married, and not having custody or legal responsibility for a child."

The cadet who finds she is pregnant is absolutely compelled to submit to the USMA counseling procedure.

"The cadet will further be advised that consultation, within 48 hours of verification of pregnancy, with the counseling coordinator or alternate, is a mandatory duty." Redundant paragraphs in the policy directive remind the cadet again and again of her "mandatory duty" and that she "must" accept USMA counseling.

The cadet is assured of absolute confidentiality so long as she has an abortion within the first trimester. She is reminded that her consultation is "administratively privileged" and can never be "used in any way by USMA officials against the cadet," and that "no formal report of the pregnancy will be made unless she becomes medically disqualified" (i.e., becomes more than three months pregnant). Her parents can be notified only "with the cadet's consent."

The U.S. military academy is a prestigious institution that provides a unique training to give officers the leadership and discipline to lead troops into battle for the defense of America. It looks as though West Point has lost sight of its mission. ●

THE RIGHT REVEREND MITRED ARCHPRIEST JOHN C. DIAKON

HON. CARLIS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mrs. COLLINS of Illinois. Mr. Speaker, after 30 years of unselfish service as pastor to Chicago's Saint George Cathedral of the Russian Orthodox Church, Father John Diakon is retiring.

I would like to share with my colleagues the accomplishments of this remarkable man and therefore submit a tribute to the lifelong commitment made by Father John to the service of God and his fellow man.

The Right Reverend Mitred Archbishop Father John Constantine Diakon was born on February 1, 1894 (old style), in the pious family of Constantine and Maria Diakon in the village of Siptena in the Russian Province of Bessarabia. Father John was the oldest of seven children. The Diakon family was a patriarchal family and adhered to all of the old customs in regard to bringing up the younger generation. Little Vanya, the diminutive for John, received a proper upbringing within a family devoted to the principle of love toward those who were near him, and in piety and respect toward his elders.

As a small boy he attended public grade school and thereafter received advance secondary education.

The boy manifested remarkable capabilities and a desire to learn. The local priest, Father Mikail Gorduze, recognized his talent, and recommended him for acceptance in the high

school in the village of Bul'voki, where he successfully continued his education and won the hearts of all his teachers.

Three years of study in Bul'voki yielded splendid results. Father Diakon finished school brilliantly, and went on to enter St. Feodor Teachers' Seminary in the village of Derman in the Province of Volhynia.

The influences of the old monastery upon the life of the seminarians was enormous. The Derman seminary was removed from the noise of the town, and was situated among large branching trees and blooming gardens. Here it was possible to meditate on the greatness of creation and to enjoy the fragrant fruits of monastic inspiration. The rector of the Derman monastery at that time was Archbishop Pachomius, who soon turned his attention to the youth and granted him his gracious patronage.

The young man graduated from Derman seminary after 4 years with honors. He then attended the Pastoral-Missionary Seminary in Bizyukov in Kharkov Province on the lower Dnieper River where he spent 3 years in preparation for further missionary work.

The rector of the Bizyukov monastery was the prominent Archbishop Arseny, who was a missionary in the Kharkov Eparchy. The monastery was wealthy to such an extent, that the funds allotted to the seminary were sufficient to establish an entire academy. The faculty was on such a high level, that graduates were well prepared to propagating Orthodoxy among persons of other faiths.

At that time Archbishop Arseny was already hopeful that Orthodox missionary activity would be established in America. Frequently he had said to the young seminarian: Let us go to America and work for the good of the Orthodox Church. Afterward Archbishop Arseny worked in the New World and his activities were well known to Russian settlers. He worked in many cities of the United States, including Chicago, and left American descendants for the beautiful Holy St. Tikhon Monastery.

In October of 1914, when Father John was a first-year student in the seminary, Bishop Procopius inspected the seminary and tonsured all the student readers.

Father John's stay at the Bizyukov monastery coincided with a terrible catastrophe in the history of the Russian—the Bolshevik Revolution, which altered the course of public and private life in that country.

As a result of the revolution, such splendid centers of spiritual education as the Bizyukov monastery and its seminary were liquidated, and all its monks were thrown into the icy currents of the Dnieper River.

The young, capable Father John, filled with a great store of knowledge and energy, moved at that time to the town of Tiraspol, where he taught in a local school for approximately 3 years.

When he was a student in the teachers' seminary in the village of Derman in Volhynia, he became acquainted with a young woman named Natalia Evdokimova Torlopovaya, a girl from a very pious patriarchal family. The friendship ended with marriage on July 2, 1917, in the town of Birzula. From that moment on, their joint life and wanderings began.

The work before Father John from that time on, was complex and demanding of energy, dedication wisdom and experience, and with the Lord's help he was able to meet the challenge.

In the 1940's Bishop Seppaphim of Berlin and all Germany appointed Father John, Pastor of St. Nicholas Church in a large refugee transit camp (Punk-Kaserne) in Munich.

He remained in that post until 1930 when he left for the United States. On December 20, 1959, Father John with his family stepped on the shores of the land Columbus. For the first few months he served in various churches of the New York area, but in March of 1951, through the efforts of the choir director Vasili Andreevsky and Professor Prokopov, he was called to St. George Parish in the city of Chicago.

When Father John arrived in Chicago, he found pictures of the Soviet leaders in the parish hall, and the Soviet red flag with its sickle and hammer in the church. It was necessary to begin by renewing the parish's spiritual values; it was necessary to explain to the people that Marxism and religion were not exactly compatible, and that a Marxist flag had no place in a church. Father John's work in this area eventually bore fruit.

Father John began the beautification of the church and the improvement of its financial base. When Father John first arrived, the liturgy was generally attended by 12 to 16 persons, and the parish was \$10,000 in debt. The parish could not even pay for the priest's apartment and there was no money in the treasury. Thus Father John began his difficult work: Through the cold and snow of the Theophany season; he visited homes with holy water, and on Memorial Day he walked the cemetery the entire day. He never refused anyone in their requests for spiritual service. All income thus generated he donated to the church's treasury, and lived with his family on \$175 per month in the apartment plus utilities provided by the parish. With that kind of effort, things soon began to improve. Debts were paid off, and the treasury acquired a surplus. Soon the church building itself was remodeled, a new

iconostasis was acquired and new icons therefore purchased.

In Father John's tenure of 30 years, because of great admiration and respect for him, as well as a good example and influence on people, others have entered the ranks of the clergy to serve God, man, and his church.

Before retiring, Father John was determined to erect a landmark of faith for the zealous pioneers' children and grandchildren in the Russian Orthodox church. This, in 1978, a new \$90,000 temple was erected at Griswold Lake, McHenry, Ill., as a monument to the mission of orthodoxy in America; and October 1979 saw another newly consecrated temple of God, dedicated to the great St. Prince Vladimir of Kiev, christianizer of the Russian people. The future has yet to see the completion and adornment of a new iconostasis for Father John's dream.

In the spring of 1980, through Father John's leadership and the efforts of the parish council of St. George, a \$25,000 renovation fund drive was instituted for Chicago's St. George parish temple's interior face lift, along with a new converted heating system. Many fundraising projects were established to support the present drive; and through the donations of many devout people and groups this financial goal is near liquidation.

In the fall of 1981, Father John requested to be retired as pastor of St. George parish of Greater Chicago, a post he has held for the past 30 years.

The beginning of 1982 finds Father John appointed pastor emeritus by His Grace Bishop Boris of Chicago and the Diocese of the Midwest, the Orthodox Church in America.

Today, as we remember and contemplate upon Father John's many and diverse accomplishments, we are grateful to the Lord God for his mercy sending Father John to live among us and we hope we can follow his example for therein only lies salvation. ●

NEW FEDERALISM AND THE STATES

HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. AU COIN. Mr. Speaker, I am deeply concerned about what "the New Federalism" is going to mean for the States. Last week, the President said, by giving the States some new functions and having the Federal Government take over others, that the costs would come out the same, it would be equal. However, the State of Oregon has indicated it stands to lose \$236 million a year if it takes over AFDC and food stamps in exchange

for the Federal Government handling medicaid costs.

Not only would the State lose Federal assistance but Oregonians would lose much needed assistance.

In this morning's Washington Post, Thomas Higgins, director of Multnomah County Department of Human Resources, writes of the necessity of keeping welfare responsibilities on the Federal level. I would like to share Mr. Higgins' letter to the editor with my colleagues:

EQUITY ON ITS HEAD

People of conscience should be deeply distressed by President Reagan's proposal to turn over the Aid to Families With Dependent Children and food stamp programs to the states. It stands equity on its head.

For almost 50 years, since the passage of the Social Security Act, it has been a settled principle that welfare should be federalized. Fairness depends on distributing income assistance, as much as possible, in like manner under like conditions throughout the nation.

Unlike various social service programs, which are best shaped at the local level, these programs of assistance should not depend upon the ability of a local economy to sustain them because they are fundamental to the survival of millions of destitute people.

THOMAS HIGGINS. ●

WORKING TOGETHER TO PRESERVE THE ENVIRONMENT: THE OSHA/ENVIRONMENTAL NETWORK

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. FRANK. Mr. Speaker, the Reagan administration is undertaking a systematic campaign to reduce the effectiveness of many of our Nation's environmental protection laws. During the last year, the administration has endorsed proposals to dismantle the Occupational Safety and Health Administration's enforcement program through exemptions, compliance relaxation, and staff reductions in its enforcement division.

The administration has badly damaged the effectiveness of the Environmental Protection Agency by severely cutting its budget. And the administration has endorsed a version of the Clean Air Act that threatens to ignore serious air pollution problems.

Because of these attacks by the Federal Government on our environmental protection legislation, new urgency has been placed on efforts to reverse the direction the administration is taking. One group that has risen to the occasion of educating the public and serving as an effective organ for the majority of Americans who favor a safe environment is the OSHA/Environmental Network.

The OSHA/Environmental Network is a coalition of labor unions and environmental groups dedicated to preserving OSHA and the Clean Air Act, as Harold D. Samuel explains. Samuel is the president of the Industrial Union Department of the AFL-CIO. In a well reasoned article which appeared in the January/February 1982 issue of *Sierra*, the *Sierra Club* bulletin, Samuel describes the work of the OSHA/Environmental Network. I hope my colleagues will take a moment to review Mr. Samuel's article.

The article follows:

THE OSHA/ENVIRONMENTAL NETWORK

(By Howard D. Samuel)

The OSHA/Environmental Network, a coalition of labor unions and environmental groups fighting to preserve the Occupational Safety and Health Act (OSHA) and the Clean Air Act, is barely ten months old, but rarely has a coalition achieved such instant success. One of the reasons is that our mutual concern is easily defined: the environment, whether in our workplaces or in our communities, is clearly important to all of us. Another reason is that our ten months of formal association were preceded by years of loose-knit association. Working together was not a new experience.

Finally, and perhaps most important, we are living in a time when all our goals are seriously threatened. We have become very aware that if we don't join hands, we may lose strong legislation supporting both occupational safety and clean air.

Labor's interest in the environment began decades ago. The air-pollution disaster in 1948 at Donora, Pennsylvania, was a special landmark for organized labor. Most of the residents of Donora worked in steel and zinc plants, and half the town fell ill when weather conditions trapped poisonous gases from Donora's factories in the atmosphere. Twenty people died. Clean air took on a special meaning for many trade unionists. Subsequently the United Steelworkers held the first major national conference on air pollution, and labor strengthened its ties with the American Lung Association.

Earth Day 1970 was another landmark; the conservation movement began to look at broader issues, including those related to urban and occupational environments. The *Sierra Club* took an active role in the boycott of Shell Oil Company called by the Oil, Chemical and Atomic Workers Union in an effort to gain access to workers' medical records (the struggle is still on through attempts to enforce OSHA regulations). That boycott developed into a joint legislative effort by the Industrial Union Department (IUD) of the AFL-CIO and the *Sierra Club*, which led to passage of the Toxic Substance Control Act.

So it was not much of a precedent for the IUD to call on the *Sierra Club*, the Lung Association and other environmental groups for help, when we were faced with the Schweiker bill in 1980. We thought then that the Schweiker bill was the most serious threat we had faced since OSHA became law in 1971. Little did we know. The environmentalists responded—and so did trade unionists, in greater numbers and with more enthusiasm than anyone had anticipated. We were energized, and Congress got the message. The Schweiker bill died.

We decided to convert that enthusiasm to a continuing presence on behalf of OSHA

and the Clean Air Act, and to do it together. Thus was born the OSHA/Environmental Network.

The danger has never been greater. Environmental protection, in the community and in the workplace, appears to be a special target for attack by this administration and by its allies in Congress and the business world. OSHA's enforcement capability has been sharply reduced, with a resulting decline in inspections and penalties. There has been a systematic effort to roll back standards—on cotton dust, lead, carcinogens, medical access and labeling, for example—and to downgrade the National Institute for Occupational Safety and Health (NIOSH). If the administration gets its way, clean air requirements would be relaxed and enforcement turned over to the states; those most sensitive to air pollution would lose their "margin of safety."

Under the mask of cost-benefit analysis, the administration and its allies have placed lives on the same scales as dollars, and high officials are twiddling with the weights to see which is heavier.

Environmentalists and union members don't see it that way. While we do not agree on every issue, what is more important is our dedication to a common conviction that lives and health have an absolute importance greater than dollars and profits. We are agreed that proper attention to environmental issues will benefit, not harm, our economy, because no economic system can survive in a hostile environment. Now, through the OSHA/Environmental Network, we pledge ourselves to carry on the struggle together and to keep the Clean Air Act and the Occupational Safety and Health Act effective, enforced and permanent. ●

FARMERS OF THE YEAR

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. HOYER. Mr. Speaker, as we know, urban sprawl has overtaken much of the farmland of this country. Yet farming is uniquely tied to our heritage, and the men and women farmers of Prince Georges County continue to work hard to preserve their land and the farming tradition. But we have seen that the outward manifestations of farming have changed in the face of increased technology and complex marketing. The men and women who carry the agricultural burden today must be more than just tillers of the soil; they must be money managers, conservationists, marketers, and, in the end, survivalists in the face of urban encroachment.

Recently, the Prince Georges County Jaycees conducted their 26th annual "Farmer of the Year" competition in honor of these fine men and women. I am proud to pay tribute to these individuals for their outstanding contributions. William Addison, Jr., Donald Entzian, Henry P. Miller, Jr., and the runner-up of the competition, Christopher Parker, serve as excellent

examples of the industrious farmer upon whose sweat and toil this country was built.

William Addison, Jr., 30, from Upper Marlboro, began work as a farmer upon graduating from college. He converted a neglected plot of land into a profitmaking farming establishment. Now he raises 400 acres of corn and soybeans with the aid of part-time help. He is a member of the Vansville Farmers Club which is the oldest existing farmers' organization in the Western Hemisphere and he has only recently helped organize a committee dedicated to protecting Prince Georges County from haphazard rural development.

David Entzian, 22, from Mitchellville, has been farming for 8 years. He raised his own tobacco crop when he was 14. He now is in a 50-50 partnership with his father and hopes to be able to buy his own farm to include in their operation.

Twenty-eight-year-old Henry P. Miller, Jr. tills 350 acres of farmland in Clinton, Md. He began as a tobacco farmer but switched to growing vegetables and now runs a pick-your-own operation. He is an outstanding young businessman as well as farmer.

Christopher Parker is a 32-year-old farm operator from Clinton. He also began farming on 350 acres in tobacco but switched to a multicrop; pick-your-own retail, wholesale outlet. He declares his greatest satisfaction comes from working the land despite graduating from Villanova University as a finance major. He enjoys the challenges and independence that a career in agriculture offers.

Because these farmers and others like them have produced record crops in Prince Georges County at a time when the total number of farms in the county has been decreasing, I find it fitting to extend to them, here today, the credit they deserve. The \$8 million in annual income from farm products have helped to bolster the economy of the county during a time of frugal fiscal management.

As citizens of this country, we owe a great deal to the farmers; and as a citizen of Prince Georges County, I wish to express my gratitude and admiration to the four men in the "Farmer of the Year" competition and, indeed, to all the farmers throughout the county. ●

OUTSTANDING DELAWARE FARMERS

HON. THOMAS B. EVANS, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. EVANS of Delaware. Mr. Speaker, I would like to recognize the ac-

complishments of two farming families from Delaware—the Eastburns of Clayburn and the Hamiltons of Kenton. Don Eastburn, along with his wife, Anna, and their son, Don, Jr., took an ordinary dairy herd and turned it into an extraordinary one. After only 3 years, they not only have the highest milk-producing herd in Delaware, but also the highest-producing cow the State has ever had. John Hamilton was recently named Delaware's all-American pork producer for 1982. With the help of his wife, Ellen, and his daughter, Leah Jo, Hamilton took only 3 years to build up a breeding herd which produces 1,600 finished hogs a year.

These families exemplify the efficiency and excellency in farming which have made the U.S. agricultural system the greatest in the world. It is their dedication and self-sacrifice which enable the few farmers of this country to feed not only people at home, but also those abroad.

Because farms such as these are so productive, we often forget how dependent our economy is upon them. Agriculture remains the most important industry in Delaware and the entire country. The success story of agriculture in Delaware is due in large measure to the hard-work and initiative of families like the Eastburns and the Hamiltons.●

LUDWIG TORZEWSKI DONATES LAND

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. TRAXLER. Mr. Speaker, Ludwig Torzewski recently provided a lasting gift to his fellow-residents of Lapeer County, Mich. A resident of Pero Lake near Elba Corners in my district for 49 years, Mr. Torzewski gave 75 acres of valuable waterfront property to the residents of Lapeer County for their enjoyment as a county park. County officials are delighted with his generosity and named it Torzewski Park in his honor.

Mr. Torzewski, who is an 88-year-old widower, was born near Wausau, Wis. He is the eldest of 11 children, whose parents were immigrants fleeing from an earlier era of repression in Poland. Mr. Torzewski is a World War I veteran who initially enlisted in the Canadian Army prior to this country's involvement in that war. He retired from the Buick Motor Division of General Motors in Flint after a variety of challenging assignments.

This unselfish consideration for the needs of present and future generations to have outdoor recreational opportunities is highly commendable.

Further information on Mr. Torzewski's generous act is contained in the following article from the Flint Journal.

[From the Flint Journal, Nov. 12, 1981]

LONGTIME LAKE RESIDENT DONATES LAND

(By Dan Shriner)

Lapeer County residents will be able to use their newest county park in late 1982 or early 1983.

The park, to be called Torzewski County Park, is a 75-acre waterfront areas on Pero Lake in Oregon Township.

The land for the park was donated by Ludwig Torzewski, 88, who has lived on the lake for 49 years. The Lapeer County Board of Commissioners recently honored Torzewski.

Torzewski said that he donated the land because he wanted to see that it was used by county residents.

"I wanted to do something for the county, and I didn't want to deprive the lake from the people," Torzewski said. "I wanted to leave something after I was gone. My wish is fulfilled."

Officials of the County Parks and Recreation Commission said that a master plan will be developed to determine park uses.

County Parks Director Robert Baird said that the park, which will have about 2,000 feet of lake frontage, will likely be developed for boating, fishing, swimming, ice skating, a nature area, picnicking, and possibly tennis and basketball courts. Baird said that restrooms and a bathhouse probably will be built also.

"This will be our only public beach," Baird said. "Lapeer County could never have afforded this. It's a blessing."

Because Pero Lake is only about 55 acres, Baird said, there will not be a public boat launch. He said that the county will maintain a private boat livery to control use of the lake.

The extent of the renovation will depend on what funds the county receives from the National Park Service, Baird said. The federal agency will allocate money from its land and water conservation fund if a local governmental unit adds matching funds.

Baird said that under the federal guidelines, the county may use the \$200,000 estimated value of the property as its share of the matching funds.

Baird estimated that the only cost to the county would be \$30,000 to \$40,000. The money would pay for the construction of a fence around the property and for signs at the entrance to the park.

Baird said that the fence and signs were requirements set by Torzewski in donating the site.

Pero Lake was the site of Mott Camp, a summer haven for Flint area youth for nearly 50 years until it was closed in 1974 by the Mott Foundation.●

TRIBUTE TO RICHARD BOLLING

SPEECH OF

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1982

● Mr. REGULA. Mr. Speaker, I am pleased to add my thoughts in honoring a truly distinguished Member of

the House, RICHARD BOLLING of Missouri.

This body, and the other as well, will be diminished by the retirement of RICHARD BOLLING. I greatly admire my colleague for his intellect, his analytical skills, and his ability to translate these attributes into words, both spoken and written.

When the 97th Congress adjourns, RICHARD BOLLING will leave only as a Member. He has already provided this great institution with incisive analyses of how the Congress should and should not do its work. He has contributed mightily to creating and molding much of procedural framework within which we conduct our work, the congressional budget process being a prime example. It would be a loss to the Congress and the country should our colleague not continue to comment on and be critical of this great body and the affairs of state.

Mr. Speaker, the Nation should be grateful for the contributions our colleague RICHARD BOLLING has made to responsible government.●

THE STING OF SALVADOR

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. SCHUMER. Mr. Speaker, the Congress acted wisely in its consideration of the foreign aid bill last session when it mandated a certification from the President that "the Government of El Salvador is making a concerted and significant effort to comply with internationally recognized human rights" before the Congress would approve military or economic assistance to that country. In requiring such a certification, the Congress sought to insure that the intentions of the United States in providing assistance would not be subverted by an unduly harsh and violent regime.

However, as earnest as the administration may seem in its desire to promote democracy and land reform through the Duarte government, disturbing reports of the Salvadoran Army's unchecked terror indicate that Mr. Duarte has yet to reign in the brutal power of his own armed forces. Until Mr. Duarte can do so, and until he can bring to justice the murderers of six American citizens, increasing aid to El Salvador means taking a substantial risk: That instead of promoting true democracy and needed land reform, we will instead be assisting an uncontrolled army in its acts of terror. The following editorial from the January 31 edition of the New York Times warns that as American involvement in El Salvador increases, "so does American responsibility":

THE STING OF SALVADOR

One measure of America's painful predicament in El Salvador is the cynical humbug it inspires. With a straight face, the Reagan Administration now certifies that El Salvador's record on human rights justifies more American aid. Congress is assured that the junta is making good-faith efforts to negotiate with its insurgent opposition and promoting free elections and genuine land reform.

Why this strain? Because without certification that conditions in El Salvador are much better than they are, American aid would be automatically terminated. And without more aid, Marxist guerrillas might well rout the junta's repressive armies and install a regime the United States deems unacceptable.

To find a way out, the Administration has put all its chips on a right-center coalition nominally headed by an honorable Christian Democrat, President José Napoleón Duarte. But the armed forces, long a source of El Salvador's agony, are a state-within-a-state. It generals have repeatedly and contemptuously ignored elected civilian Governments, and once robbed even Mr. Duarte of the presidency.

It is therefore naive to expect a bloody conflict to be ended by a series of elections beginning in March. The country has seen plenty of votes, most of them crooked. It could even happen that the armed forces will rig the outcome to rid themselves of Mr. Duarte and put the extreme right firmly in control—the same pattern now visible in Guatemala, where a similarly dubious election will also be held in March.

Truly free elections and land reform are the right objectives in El Salvador. But without an end to the butchery they cannot be attained. And the Reagan Administration has clearly failed to restrain the murderous armies. Congress tried to give it new leverage by tying American aid to respect for human rights. The leverage has not been well used.

Just when President Reagan was extolling the junta's record, eyewitnesses reported the massacre of about 700 peasants in a single village. According to a study for the American Civil Liberties Union, the Salvadoran military were responsible for 12,500 murders in 1981. There has, finally been progress in pressing charges against soldiers for the murder of four American churchwomen more than a year ago. But no officers have faced courts-martial for slaughtering civilians.

The junta's defenders complain that the excesses of the right are exaggerated while those by the left are ignored. But Washington has no influence over the guerrillas; the battalion accused of last month's massacre was trained by American officers and armed with American guns. As this involvement increases, so does American responsibility.

When it comes to strategically important regimes, Mr. Reagan's prefers "quiet" diplomacy to public protest. That has been his approach in Africa, where persistent pressure on South Africa has apparently opened the way for a settlement in Namibia, which could also get the Cubans out of Angola. Why is American influence so meager over a totally dependent junta much closer to home?

The crisis in Poland makes the question even more urgent. Secretary of State Haig found it "mind-boggling" that Europeans could condemn America's double-standard in reacting to martial law in Poland and El Salvador. The reproach plainly touched a nerve. Let the sting move him. ●

IT'S TIME TO DECIDE: WHO SHOULD MAKE THE LAWS

HON. ELLIOTT H. LEVITAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. LEVITAS. Mr. Speaker, last week the U.S. Court of Appeals for the District of Columbia handed down a decision declaring that congressional veto of agency rules and regulations is unconstitutional. Previous court decisions have upheld the constitutionality of the legislative veto. Now with this contrary opinion, we can expect to get a final ruling from the Supreme Court on the issue. That is why we have a Supreme Court.

I welcome this opportunity to settle the constitutional issue once and for all. I believe that the Court will uphold the validity of the legislative veto of rules promulgated by unelected bureaucrats having the force of law. In the meantime, I believe it is our duty as elected Representatives to press on with our work; to enact legislative veto provisions to curb the bureaucrats and to exercise the vetoes when needed.

At this point I would like to share with my colleagues the following editorial from the Atlanta Journal which puts the decision of the court of appeals in its proper perspective.

CONTINUE THE FIGHT

The Federal appeals court decision declaring unconstitutional a congressional veto of a bureaucratic regulation has to cause concern to those of us who believe that unelected bureaucrats should not have a free hand in making rules that affect citizens with the force of law.

However, this case at least frames the issue in a proper manner to be appealed to the U.S. Supreme Court. Furthermore, even if the reasoning of the appeals court casts doubt on the one-house veto as an appropriate remedy, it in effect concedes that there is a real constitutional problem which needs to be dealt with some way.

This case involved a House veto of a regulation promulgated by the Federal Energy Regulatory Commission. Proponents of the legislative veto contend that since federal agencies operate under laws passed by Congress, the legislative branch has the right to overrule a regulation that goes beyond the intent of Congress in making the laws.

Opponents of the legislative veto either contend that administrative rulemaking is exclusively an executive function—a proposition we cannot accept—or they contend that a one-house veto is an improper shortcut, because it allows only one house of Congress to determine the law, bypassing both the other house and the President's veto power.

Significantly, the opinion of the appeals court took the latter course thus admitting that the regulations in question are laws—and once that is admitted it seems to follow that Congress should have some voice in the lawmaking process.

If a one-house veto is not the proper remedy, at least the right of Congress to

participate in making the law has not been, and cannot be, denied. Rep. Elliott Levitas assures us that Congress intends to take this case to the U.S. Supreme Court, and if the one-house veto is finally rejected, then he will seek some other remedy for the problem. Surely the last word on this subject, from the constitutional point of view, cannot be that unelected bureaucrats are superior in their power to make laws over the people's elected representatives.

THE BUDGET PROCESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 3, 1982, into the CONGRESSIONAL RECORD:

THE BUDGET PROCESS

The eight-year-old congressional budget process is in danger of collapsing. The fiscal year is three months old, and there is still no final budget resolution which sets the amount of money Congress can spend. Several appropriations bills have not been passed by Congress nor sent to the President for his signature. The huge deficits expected during the next few years have darkened the fiscal outlook.

The principal purpose of the Congressional Budget and Impoundment Control Act of 1974 was to force Congress to take responsibility for the budget as a whole. It aimed to substitute a unified budget process for the piecemeal approach to taxing and spending which had been followed in previous years. As a result, Congress' fiscal plans and deliberations would be more orderly and exact. Several factors lay behind Congress' willingness to support the Act. From 1921 to 1974, the President dominated budget-making through his control of the sources of information. In the 1970's, the economy was not performing well; a large, growing, and seemingly uncontrollable budget was deeply distressing to members of Congress, who were inclined to blame it for the economy's poor performance. Congress was finally convinced that it was not doing all it should to exercise its constitutional power of the purse responsibly and effectively. The Act was the answer.

A new dimension of the Act was discovered in 1981 when President Reagan employed the budget process to push Congress into making sweeping changes in economic and governmental policies. By debating "omnibus" packages of bills and avoiding votes on particular issues, members of Congress were free to vote for frugality in government and then to claim that they had had no opportunity to protect popular programs such as student loans. The strategy gave the President a decisive victory. The procedure dictated the result.

Today, the budget process is in trouble for several reasons. First, Congress is trying to use it to do too much. In 1981, nearly all major legislative decisions were made on a few votes. Important budget bills contained so many provisions that members of Congress often did not know what they were voting for or against. They were aware of the total budget cut which the bills proposed, but little more. The dangers inherent

in this manner of doing business should be apparent. Second, the budget process has become too cumbersome. Congress passes a first, a second, and frequently a third budget resolution, more than a dozen appropriations bills, fifty or more authorizing bills, reconciliation bills, and tax bills. At each stage, significant budget decisions are reached. The budget process must be simplified or it will not continue to serve its principal purpose. Third, as the budget committees have begun to wield more influence, tensions have increased between those committees and the authorizing and appropriating committees. Jurisdictional struggles spill over into deliberations on policy and make it harder to find consensus. Finally, the budget process is being used to divide up a smaller pie in a stagnant economy. This task is far more difficult than that of distributing the revenues produced by an expanding economy.

My view is that the budget process needs to be reformed and strengthened. I am not confident that Congress will be able to do much reforming this year, but it can start by trying to come to a better understanding of what the budget process is and what it means. We should not have exaggerated ideas of what the budget process can accomplish. It will not yield magical results which satisfy all people. It does not ordain larger or smaller budgets or deficits. It will not necessarily get us balanced budgets or surpluses in government accounts. It merely helps Congress be a responsible decision-maker and user of information. The budget process is neutral; it is intended to produce the outcome favored by the majority. Also, we should think seriously about economic escapism in the budget process. Congress and the President try to avoid the dilemmas of budgeting by maintaining (despite evidence to the contrary) that the economy will surge forward, that employment will be high, that inflation and interest rates will fall, that revenues will rise, that outlays will hold firm, and that a balanced budget is just a year or two away. This wishful thinking produces fleeting political benefits, but it dooms the budget process to unreality.

As to changes in the substance of the budget process itself, I have several suggestions:

We need a simpler process: As things now stand, there are too many figures and stages. The blizzard of numbers obscures the decisions which must be made. Perhaps we should begin to use a single, binding budget resolution in place of the current non-binding resolution which only sets goals to be refined later. I have even concluded that we should probably consider eliminating the split between authorization and appropriation and should rely instead on single committees to perform both functions. In any case, the budget committees or a task force should propose simplifications.

We need a more comprehensive process: Everything should be brought together in the budget process so that Congress can see it in one place. For example, the credit budget should be included because it has a very important impact on fiscal policy.

We need a process whose focus is longer-term: Congress ought to be concerned about its activities over several years. As a step in that direction, I favor a two-year budget resolution. The first year would be used to dispose of significant questions of policy; during the second year, Congress would concentrate on the more detailed provisions.

We need a process which uses valid economic assumptions. Both Congress and the

President must get away from the game of using unrealistic economic assumptions to produce favorable budget figures.

Despite the problems, the present budget process has made Congress better. Legislators have more data on the budget and more opportunity to act intelligently on budget issues. They have a stronger appreciation of the relation between the economy and the budget. They have a greater awareness of the long-term financial commitment created by the votes they cast. Reform of the budget process can preserve these benefits as it provides new ones. ●

TITLE V ENJOYS BIPARTISAN SUPPORT IN MY COMMUNITY

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● **Mr. DOWNEY.** Mr. Speaker, to attest to the fact that title V of the Older Americans' Act enjoys bipartisan support in my community, I insert this letter into the RECORD:

TOWN OF BABYLON,

Lindenhurst, L.I., January 22, 1982.

Hon. THOMAS J. DOWNEY,
Cedar Street,
Amityville, N.Y.

DEAR CONGRESSMAN TOM: It has come to my attention that title V of the Older American's Act (senior community service employment programs) is proposed for phase-out as of 31 May 1982 by the Office of Management and Budget despite congressional approval of the act for a 3-year period.

Nationwide, title V provided 60,000 low-income post, 55 individuals with paid part-time employment in the human services field. In Suffolk County, 250 enrollees participate in the program and are paid an average \$3.45 per hour from which Federal, State, and FICA deductions are made; this, contributing to the tax revenues.

Without this employment opportunity alternatives for these older workers would be limited for the vast majority and welfare rolls would be their only means of existence. The agencies of our community served by these enrollees (all not-for-profit agencies) would be greatly hindered in providing services to our community.

Because title V of the Older American's Act has enjoyed bipartisan support in both Houses of Congress, I am hopeful that you will convey your support of this program to the President for the upcoming budget.

Sincerely,

RAYMOND C. ALLMENDINGER,
Supervisor Town of Babylon. ●

EXPERIMENTATION RESULTS IN MORE MINER DEATHS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● **Mr. GAYDOS.** Mr. Speaker, new figures show that more coal miners died in 1981, the first year of the administration's experiments in deregulation, than in any year since 1975.

The Mine Safety and Health Administration in 1980, before the experimenting began, had reduced coal miner deaths to a near record low of 133.

Due to delays in the administration's appointing process, MSHA was without permanent leadership for much of 1981. An Assistant Secretary of Labor for the Mine Safety and Health Administration was not appointed until late in the year.

What happened at MSHA during 1981 is outlined in a story in today's Washington Post.

This report also highlights the potential for further damage, and administrative chaos, created by the ill-advised transfer of certain MSHA mining jurisdictions to the Occupational Safety and Health Administration, where they have no experience with mining.

And the point of it all is that a mine is not some computerized econometric model where you can change the program to accommodate somebody's bright new theory and then push a button to get a readout telling you what happens if the theory is put into use.

When you change things in the mines—when you experiment—men die.

As chairman of the Subcommittee on Health and Safety, I have scheduled MSHA oversight hearings later this month as a result of the recent dramatic rise in coal miner deaths, and they should produce solid information on the direction of the agency.

But for the meantime, I offer the following excerpts of directly related information from the report in today's Post for those who are interested in miner safety and health:

ACCIDENTS UP, CITATIONS DOWN IN COAL FIELDS

(By Douglas B. Feaver)

Federal mine inspectors are issuing fewer violation notices, closing fewer mines for safety reasons and collecting less in fines at a time when fatalities from mine accidents appear to be on the rise.

Twenty miners have been killed in the coal fields since Jan. 1, compared with nine a year ago. A total of 153 miners were killed in 1981, the highest annual rate since 1975.

The Labor Department's Mine Safety and Health Administration (MSHA), which is required to inspect all underground coal mines four times a year, is being squeezed by budget problems just like other agencies.

Unlike everyone else, however, MSHA is also caught in a strange never-never land. A small part of its mission—inspection of sand and gravel and quarrying operations—was moved by Congress in the continuing resolution from MSHA to Labor's Occupational Safety and Health Administration (OSHA). No one knows whether or when that mission will be returned, but OSHA has it until March 31, when the continuing resolution expires.

The result: 220 MSHA sand and gravel quarrying inspectors have been furloughed since Jan. 1. Since many of them are also

qualified coal inspectors, they are now beginning to "bump" less senior coal inspectors under federal personnel rules.

"I certainly empathize with the employees who were impacted," said MSHA Administrator Ford B. Ford, an appointee of President Reagan. "That was not an administration-sponsored move."

Further, attrition and the federal hiring freeze combined to cut by 9 percent the number of coal inspectors actually on the job from 1,389 to 1,264 between the end of fiscal 1979 and fiscal 1981.

"We are losing our best inspectors to industry," according to a source in an MSHA field office. "Previously we could keep them because of the continuity of the work and the dignity of the job, but no longer."

"If you asked, 'Does that account for these disasters?' I would say I hope not, but it troubles me."

Ford said he could not be "definitive" on whether such uncertainties might have contributed to laxness in the field. "A great number of our inspectors come from coal mining and coal mining families. I would say they are doing a good job. I can't say how individuals react."

The statistical evidence is interesting, if not conclusive. It shows that MSHA coal inspectors issued 129,921 citations for violations in fiscal 1980, but only 108,914 in fiscal 1981, a drop of 16 percent.

Orders—where an inspector literally closes a mine or a section of a mine or prohibits use of a piece of equipment until a hazard is corrected—dropped from 5,270 to 4,787, or 9 percent, from one fiscal year to the next.

Assessments—civil penalties paid by mine operators—dropped from \$19.5 million in calendar 1980 to \$14.2 million in calendar 1981, or 27 percent.

The switch from MSHA to OSHA of sand, gravel and stone inspections has the immediate result of removing thousands of small operators from the burden of federal inspection because OSHA is not permitted to inspect firms with fewer than 10 employees unless there is a complaint or a reported accident.

While the resolution transfers about 162,000 protected workers at 12,395 operations from MSHA to OSHA, the inspectors remain on furlough. About 86 percent of the sand and gravel and two-thirds of the quarry operators will be exempt from OSHA enforcement barring a reported accident or complaint, OSHA spokesman Jim Foster said.

The National Sand and Gravel Association was able to build enough support in Congress to win at least temporary freedom from MSHA in the continuing resolution. However, MSHA statistics show, sand, gravel and quarrying operations have accounted for about 50 percent of the fatalities in the non-coal mining industry. Deaths in the non-coal mining industry dropped steadily from 234 in 1972 to an all-time low of 83 last year.

Ford has reorganized MSHA to place education and training staffs under the direct supervision of district managers instead of under Washington. That has resulted in the closing of some MSHA offices in the field, Ford said, but does not mean that MSHA's presence is diminished in any way.

"There has been no message to us to lessen regulatory enforcement," Ford said. ●

EXTENSIONS OF REMARKS

R. & D. NEEDED FOR ECONOMY

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. FUQUA. Mr. Speaker, I submit today a thoughtful editorial contained in the Washington Post of February 3, 1982, which clearly articulates the need for continuing the Nation's commitment to basic scientific research and technological development.

Coming as it has on the second of 3 consecutive days of hearings by the Committee on Science and Technology into "Research and Development Under Budget Stress" the editorial underlines a growing public awareness of the role of science and technology as a mainstay of the Nation's future economic and military strength.

The issues with which Congress has been wrestling over the past year as we try to reinvigorate our economy are certainly important and of instant concern.

But as we work toward curing our immediate economic ills, we would be foolish to dismantle programs which are the underpinning of future economic health.

In short, while we must be concerned with immediate problems we would indeed be shortsighted to mortgage a secure future for an expedient present.

[From the Washington Post, Feb. 3, 1982]

HOW MUCH FOR SCIENCE?

As the annual struggle over the federal budget gets under way, it is worth pondering what will happen to money for science. American science and technology are still the best in the world. But there are enough signs of strain to suggest that our accustomed preeminence—on which a large part of U.S. security and economic power depends—is fragile, even endangered.

The trouble starts with education. For more than a decade, secondary school curriculum requirements and achievement have fallen sharply in science and mathematics, while an opposite trend has been present in most other developed countries. The result is already evident. A NASA official reported recently, for example, that the space agency's cost overruns come in part from delays that are, in turn, the result of a lack of technically skilled workers.

Federal support for graduate education is in doubt for the first time in 30 years. In many fields, engineers are in short supply, but engineering schools cannot take in more students because they cannot find trained faculty to teach them. Shortage of faculty means heavier teaching loads and therefore less research. Schools do not have enough money to pay more professors even if these could be found, nor can they replace badly obsolete laboratories. Troubles that now afflict engineering are beginning to be seen in the sciences as well.

Money for basic research in this country has been essentially constant for 10 years. To the extent that scientific advance is linked to money—there is a close, but not rigid relationship—that means a decade

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without real growth. Meanwhile increases in research funds in Japan, West Germany, France and elsewhere have paid off with growth in both scientific and industrial productivity. And now federal research budgets face severe cuts.

Basic research, a long-range investment for the benefit of all of society, is properly and necessarily the responsibility of the federal government. Industry can be asked to expand its support of applied research and of development projects, but it is not industry's role, nor is the industrial setting the best environment for basic research. Yet less than 15 percent of federal research and development funds currently goes to basic research. Too much federal money supports development projects that are the proper province of industry. Allen Bromley, president of the American Association for the Advancement of Science, recently made the valuable suggestion that the ubiquitous but misleading term "R&D" be dropped, in order to separate the financing of these two very different activities.

If serious damage is to be avoided as the federal budget is cut, Congress and the administration should not only protect, but in some fields increase, basic research funds. Ways should also be explored to assure more continuity in the amount of support such research is given. It takes nine years to produce a PhD scientist, and years to assemble a research team and carry a project to fruition. When the money disappears for a few years, the people disappear too, and can seldom be brought back. Abrupt changes like those that took place during last year's budget cycle can therefore wipe out years of past investment and future productivity. ●

THE CONSTABLE'S HERITAGE

HON. JAMES K. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. JAMES K. COYNE. Mr. Speaker, I rise to inform my colleagues of the historical importance and the present day need for the time-honored position of constable in the system of justice and law enforcement in the United States.

From colonial days, in which the common laws were the only laws of our land, the constable has been the people's elected law enforcement officer. Constables receive their income in most cases from the litigants they serve rather than the taxpayer.

Today an awareness of that heritage has led to a nationwide task force of constables, under the banner of the National Constables Association, incorporated in Pennsylvania, to the forefront of the movement to bring about a rebirth of the constable system in the United States.

May I urge my colleagues to give their support to the constables, in every State, as they continue their nationwide program to regain their historical position of service to the people who elect them.

Mr. Speaker, I would also like to insert into the RECORD a copy of "The Constable's Heritage," a history of this fine public office.

THE CONSTABLE'S HERITAGE—A PROUD TRADITION OF SERVICE

The word "constable" comes to us from the Latin, "comes stabuli," the "head of the stables at the imperial court." The first men to perform the role of constable were special, trusted men who guarded the royal stable and armaments.

In ancient Rome order was kept by a select group of men chosen for their courage and good judgement. They were the first organized group to perform the functions that we have come to associate with the constable.

In feudal times the office of Constable was a high military rank. The Constable was the highest militia rank and decided on all questions of chivalry and honor.

The constable was introduced into British Common Law following the Norman invasion of 1066 A.D. Originally his job was to keep the militia and the king's armaments in a state of preparedness to defend the village communities throughout England. The Constable was the representative of the King in all military affairs. In France the Constable was one of the five great offices, taking precedence immediately after the King himself.

The Blackstone Commentaries on the Common Law provide for a broad range of Constable duties and powers. Only the most responsible and competent of men could be considered for the position of Constable. Constables were entrusted with collecting taxes, arresting lawbreakers, conducting searches, transporting prisoners and serving all criminal and civil papers. Even the local drugstore had to open its books and records to the Constable.

The Constable was the first law enforcement officer in the new American colonies. While he sprang from uniquely English roots, his American growth was far ranging and diverse. The Constable's duties varied from place to place according to the particular needs of the people he served. The Constable was the sealer of weights and measures. He surveyed lands, announced marriages, and executed all warrants. The constable meted out physical punishment and generally kept the peace.

The first American constable with these powers was Joshua Pratt in Plymouth colony in 1634. While many of the duties were delegated to other officials, in general the Constable was responsible for the "Watch and Ward," the Ward during the day, and the Watch during the night. The New England settlers went as far as to appoint Indian constables, each holding office for a year and responsible for overseeing the nine other Indians under his command.

Today the office of Constable has evolved in many forms. In some places he is appointed, in others he is elected. His powers vary from simply the service of process to those of policemen and sheriff.

Generally constables work on a fee plus mileage basis, with the fee paid by the wrongdoer, not the taxpayer. Constables are available for a variety of assignments for the judicial and executive branches of government. They serve criminal and civil process, transport prisoners, collect back taxes and debts owed the government, and provide a trained, professional manpower pool ready to serve in time of emergency on a twenty four hour a day basis, all at no cost

to the taxpayer. All other law enforcement officers owe their status to the Constable and can trace their own history back to the heritage of the Constable.

It is this proud tradition of service and responsibility that makes today's professional constable a vital, much needed component of the delivery of justice system.●

UKRAINIAN INDEPENDENCE

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 26, 1982

● Mr. HERTEL. Mr. Speaker, I would like to bring to the attention of my colleagues the 64th anniversary of the Proclamation of Independence of the Ukraine National Republic. The brief moment of Ukrainian national freedom continues to live in the hearts of Ukrainians and free people everywhere. I would like to share with my colleagues the plight of the Ukrainian people as well as their great intellectual and cultural contributions to the world in the 20 century.

The Ukrainian people have suffered through centuries of political, cultural and intellectual repression. Aside from brief moments in the passage of time when the torch of freedom shown publicly in the Ukraine, the nation's history has been one of stifling dominance by foreign powers. For a short period from 1918 to 1920, Ukrainian nationhood was a reality. The Ukraine's failure to develop political autonomy from the Soviet Union draped a cloak of despair over all Eastern Europe, which had closely monitored the Ukrainian attempt.

Unable to defeat the Stalinist forces, the Ukrainian Government was annexed by the Union of Soviet Socialist Republics. Stalin dangled the promise to retain their national independence while they participated in the federated U.S.S.R. It was Stalin's intent to squelch Ukrainian nationalism. Ukrainians accepted Stalin's conditions expecting to practice political, social, economic, cultural, intellectual, and religious freedoms; and a revival of vocal national Ukrainian pride.

This was not the case. The mass exodus of Ukrainians began when the lie was made clear—the subterfuge of Stalin's statements became the cornerstone of Ukrainian Soviet public policy. Unlike many emigres from Eastern European nations, the Ukrainians were primarily intellectuals rather than blue collar. They established Ukrainian universities in Prague, Warsaw, and Berlin. They maintained the revival of Ukrainian nationalism with the help and encouragement of their neighbors, while at home their nationalism was suppressed.

The universities were well established but short-lived—with World

War II came Russian dominance in Eastern Europe. The Ukrainian academic freedoms on foreign soil ended. Stalin destroyed their documents and abolished the institutions. Suddenly, Ukrainian intellectuals found themselves primarily in America and Canada as they stubbornly attempted to maintain the vestiges of their culture.

Today, Ukrainian intellectuals have established universities in Rome and Paris, and Ukrainians in the homeland rely heavily on the East European books and journals to gain access to information on the outside world. Though the political freedoms of countries behind the Iron Curtain, such as Poland and Czechoslovakia, seem meager to us, they have not suffered the ultimate humiliation of territorial acquisition that the Ukraine has suffered.

Ukrainian-Americans are more than 2 million strong. Their beautiful churches are all over America. In 1964, in commemoration of the national poet of the Ukrainian people, Ukrainian-Americans erected a statue in Washington, D.C. Other famous Ukrainian-Americans include: sculptor Alexander Architenko; former Archbishop Joseph Shmondiuk; and the Director of the U.S. Communication Satellite Corporation (Comsat), Joseph Charyk.

Here in the United States the cultural identity and intellectual fervor of the Ukrainian people is maintained in ethnic communities and on college campuses. In 1968, Harvard University established a Ukrainian Center which included the appointment of a permanent Ukrainian professorship. The Ukrainian library at Harvard hopes to one day have originals or copies of all basic Ukrainian periodicals and monographs.

The suppression of Ukrainian nationalism and the denial of many basic human rights by the Soviet Union continues and should not be forgotten. While these people struggle at home for the freedom to express their national pride, we must encourage Ukrainians abroad, and especially those in the United States, to maintain their national pride, cultural traditions and Ukrainian heritage for the day when all Ukrainians will be free again.●

IMPROVING FUEL EFFICIENCY OF NUCLEAR REACTORS

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. OTTINGER. Mr. Speaker, in October 1981, my Subcommittee on Energy Conservation and Power heard

testimony on a method to save consumers billions by improving the fuel efficiency of the nuclear reactors used throughout the world. During the hearing, nuclear suppliers, utility executives, and Department of Energy officials attested to the impressive strides the United States is making in uranium efficiency improvements.

Recent DOE estimates point up the significance of these improvements: We can reduce uranium use by nearly 25 percent, saving consumers more than \$12 billion by the turn of the century. We can extend our uranium stocks for years. We can sharply reduce the amount of nuclear waste produced. A recent report of the General Accounting Office, prepared at my request, confirms DOE's estimates of these financial benefits of fuel efficiency improvements.

The cost to taxpayers is modest: \$33 million over the next few years. Yet incredibly, the Reagan administration seeks to end this remarkably promising project. It is now up to us to save it.

The January 23 issue of the *Economist*, a British journal, contains an excellent article on the process of improving fuel efficiency in reactors. The article follows:

STRETCHING THE LIFE OF NUCLEAR FUEL

Nuclear power-plant operators are finding a bit of economic cheer, despite skyrocketing reactor construction costs and burdensome regulations. They are discovering ways to cut the costs of operating their reactors. Today (according to the reactor-builder, Bechtel), up to four times as much power is harvested from each pound of reactor fuel than in the early 1960s, and further increases are on the way.

Increasing the operative lifetime of nuclear fuel can help cut reactor operating cost in two ways. With less fuel passing through their reactors, some utilities hope (government regulations permitting) to win savings on waste-disposal charges for their spent fuel. More important, they can lengthen the time for which a reactor can be operated between refuellings.

Each time a reactor is refuelled, it must be shut down for six to eight weeks, and often longer. During that time, the utility must provide electricity from other sources: typically, this replacement electricity costs between \$250,000 and \$1m a day. So big savings flow from fewer shutdowns. Already most American utilities have switched from refuelling their reactors once a year to refuelling them once every 18 months; some hope soon to refuel only once every two years.

The trick to winning such savings lies in building longer-lasting nuclear fuel rods. The first, and ultimately the most important, part of this task is to ensure that the rod does not stop producing the neutrons needed to power the heat-producing, atomic-chain reaction.

The laws of physics largely dictate the solution to this problem. To get a fuel rod to go on producing neutrons longer, one must put more neutron-producing materials into it in the first place: that is, one must "enrich" the fuel. Unfortunately, enrichment is very expensive.

One reason is that it requires using more uranium. For each increase in the amount of enrichment work done, the quantity of uranium needed as raw material increases dramatically. The pressurised-water reactor—the world's most popular reactor design and the one requiring the most enrichment for its fuel—uses 16 percent more uranium each year when operating with fuel rods that last 18 months than with ones that last 12. Just now, while uranium supplies are glutted and prices falling, this does not matter too much. By the end of the decade it may be another story.

There are other snags as well that chip away at the net savings to be gained from using longer-lasting fuel. One is the problem of controlling the enriched fuel when it is first put into the reactor. Initially, enriched-fuel rods shoot more neutrons into the reactor core than are needed. Left uncontrolled, the surplus neutrons are a hazard: they could increase the radiation exposure of plant operators or possibly overstimulate the atomic reaction. To control them, nuclear engineers use "burnable poisons". These chemicals absorb the excess neutrons.

A second problem in using longer-lasting fuels is that the rods which contain the fuel must be built stronger to survive longer periods in the reactor core. That means making the rods more resistant to corrosion and more able to resist the stresses put upon them by the fuel they contain. New materials are being developed which are less susceptible to corrosion but, to resist the stresses created by the fuel itself, some nuclear fuel makers are discovering that they must find new designs for their fuel rods.

Inside the reactor, the pellets of nuclear fuel expand. In some cases, this can crack the fuel rod containing them. It is no good simply leaving extra room inside a rod to allow for the pellet's expansion because doing so would insulate the pellet and so decrease the efficiency of the fuel, making it more difficult to draw heat from it. To overcome this problem one fuel maker, America's General Electric, has begun coating its fuel rods with a thin layer of relatively soft metal. This absorbs the pellet's expansion without putting too much stress on the structure of the rod.

As they solve such problems, fuel makers are having to extend the guaranteed life of their product. In the early 1960s, General Electric guaranteed fuel for its boiling-water reactors for a life of only one quarter of what it does today. And fuel makers for the pressurised-water reactor, which include Westinghouse, Combustion Engineering and Babcock and Wilcox, have increased the guaranteed life of their fuels by about two and one half times the relatively higher base they started from in the early 1960s.

Somewhat reluctantly, nuclear fuel makers expect to provide still greater guaranteed lifetimes for their fuels in future. As the reactor-building business winds down with the collapse of new orders, many companies in the nuclear industry are looking to fuel fabrication to provide greater income. To compete in the fabrication market, they have no choice but to move to the longer-lasting fuels utilities are now demanding.

The nightmare is the risk that fuel makers might have to pay up on their longer guarantees. Actual fabrication (and a fuel makers' income) accounts for only 15-20 percent of the \$100m-200m cost of a complete reactor fuel load, but a fabricator's guarantee covers the lot—including the cost (80-85 percent of the total) of the fuel itself. Paying up can hurt.

Still, the push for longer fuel lifetimes will continue. Most fuel fabricators now calculate that the economically optimum fuel lifetime is at least 25 percent longer than today's—and fuel-buying utilities reckon it is even longer than that.●

IN CELEBRATION OF THE 50TH ANNIVERSARY OF THE LINCOLN MEMORIAL SHRINE

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. LEWIS. Mr. Speaker, on February 12, 1982, the Golden Jubilee of the Lincoln Memorial Shrine will be celebrated in Redlands, Calif. The Lincoln Memorial Shrine was dedicated and presented to the city of Redlands, Calif., by Mr. and Mrs. Robert Watchorn on February 12, 1932, as a tribute to Abraham Lincoln and as a memorial to their son, Emory Ewart, who had died in 1920 at the age of 26.

Robert Watchorn was born in Alfreton, Derbyshire, England, in 1858 and died in Redlands in 1944. He came to the United States in 1880, having worked in the English coal mines since his 11th year for the sum of 27 cents a day. The benefits of extensive formal education were denied Watchorn, but in later years, with the counsel of his wife, Alma, and with his own thirst for knowledge, he became a highly respected and effective labor leader, government official, corporation officer, and philanthropist.

Watchorn's life in America closely paralleled that of a Horatio Alger novel. After naturalization, he was elected the first secretary of the United Mine Workers Union; appointed adviser to the Governor of Pennsylvania, 1891-5; served as Commissioner of Immigration on the Canadian frontier, 1898-1905; chosen as U.S. Commissioner of Immigration at Ellis Island, New York, 1905-9; appointed treasurer of the Union Oil Co., Los Angeles, Calif., 1909-15; and was president of the Watchorn Oil & Gas Co., 1916-44.

Early in his life, Watchorn became fascinated with Lincoln and the Civil War period. Reading as much as he could, he began to collect Lincolniana. Watchorn believed that people throughout the world as well as in the United States could benefit from a more complete knowledge of Lincoln's strength and character, as well as his life of service and principle. In the 1920's, the Watchorns began to formulate plans for the construction of a memorial to Lincoln and a repository for their Lincoln collection. Choosing their winter home of Redlands, Calif., the Watchorns presented to the city a memorial to Lincoln, the only one in existence west of the Mississippi

River—monument, museum, library, and archives.

For the Lincoln Memorial Shrine, Watchorn secured the well-known southern California architect, Elmer Grey, to design the octagonal building. The central focus of the shrine is the magnificent carrara marble bust by George Grey Barnard (then owned by Watchorn). To adorn the ceilings with handsome symbolic murals, the noted artist, Dean Cornwell, was selected by Watchorn.

Over the years, the shrine library has grown to several thousand volumes on the Civil War and Lincoln. The manuscript collection contains letters and documents from an array of Civil War personalities ranging from Lincoln and Charles Sumner to Lee and Jefferson Davis. One of the larger manuscript collections is that of Gideon Welles, Lincoln's Secretary of the Navy. The shrine has extensive holdings of rare pamphlets. Additional collections include materials from newspapers, stamps, coins, photographs, and artifacts.

Visited by thousands of people each year, the Lincoln Memorial Shrine continues to add to its holdings through its endowment fund, the support of the Lincoln Memorial Association, grants from the city of Redlands and the Shrine's parent institution, the A. K. Smiley Public Library, as well as through the continued generosity of friends and donors.

It is my pleasure to commend the Lincoln Memorial Shrine to the House of Representatives for its service to the public as a memorial to Lincoln and the Civil War period, as a research center for scholars and students, and as a repository, museum, and library open to all people whose interest in American history and Abraham Lincoln beckons them to utilize the shrine's resources.●

"COP KILLER BULLETS"

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. BIAGGI. Mr. Speaker, earlier this Congress I introduced a bill, H.R. 2280, calling for a Federal study to identify all those handgun bullets that can penetrate the bulletproof vests worn by police. Although first introduced in 1980, no action has been taken on this legislation and no such study has been conducted.

Unfortunately for the law enforcement community, the problem has grown far worse. Evidence I have uncovered since introducing my original bill suggests the availability of armor-piercing handgun ammunition is more widespread than I ever anticipated. Due to the tremendous amount of

public attention focused recently on these so-called "cop-killer bullets," a growing number of criminals are aware of their existence and the awesome powers they possess. Especially significant is the fact that more and more police officers are relying on bulletproof vests for protection against handgun ammunition. In fact, more than 50 percent of all U.S. law enforcement personnel wear bulletproof vests today.

Most of the vests police use are capable of stopping all standard handgun ammunition. However, these vests provide no protection at all against the handgun bullets currently being made specifically to pierce metal.

As a result, police officers face a grave danger and the law enforcement community is concerned that a study by itself is simply not enough.

That is why I am introducing a new bill today that would not only call for the same Federal study, but would also outlaw those handgun bullets that are determined to be capable of penetrating a bulletproof vest.

Under the provisions of my new bill, the Department of the Treasury would determine which handgun bullets can penetrate the equivalent of 18 layers of kevlar (composition of most widely used police vest); the Department would publish their findings in the Federal Register; and 60 days after publication, those bullets identified would be banned from further manufacture, import, sale, or use.

The specific penalties imposed by this measure are consistent with current firearms violation laws. Under the provisions of this act, the licensed importer, manufacturer, or dealer would be subject to a fine of not more than \$10,000, imprisonment for not more than 10 years, and revocation of their Federal license. A person using or carrying a restricted bullet during the commission of a felony would be subject to a mandatory, minimum prison sentence of not less than 1 year nor more than 10 years for the first offense, and not less than 2 years nor more than 25 years for the second or subsequent offense.

This new bill offers an alternative approach that would provide more expeditious and stricter treatment of the problem.

The need for this stronger legislation is clear. Tests have shown that most powerful of the armor-piercing handgun bullets, the Teflon-coated KTW, can penetrate the equivalent of four bulletproof vests in a single shot. The KTW bullet is not the only one of its kind. We know of at least four other handgun bullets that have similarly awesome armor-piercing capability. Reports indicate there may be several more.

As one who was wounded 10 times during my 23 years as a New York City police officer, I was outraged to learn

that there is no law at all restricting the manufacture or sale of this type of ammunition. My legislation seeks to establish just such a law.

Mr. Speaker, to date soft-body armor is credited with saving the lives of approximately 400 U.S. law enforcement officers since its creation in 1974. We must not allow this valuable protective device to outlive its effectiveness to save lives. With this in mind, I urge the prompt and favorable consideration of my new bill, entitled the "Law Enforcement Officers Protection Act of 1982."●

OBsolete JETS SENT TO
RUSSIA GAVE MIGS EDGE
OVER WEST

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. McDONALD. Mr. Speaker, it is a matter of history that most of the great military and industrial advances that have taken place in the U.S.S.R. were aided by Western technology. The aircraft engines furnished by Great Britain just after World War II eventually provided the basis of the Mig-15 fighter plane. The Migs were a shock to our fliers in Korea, and the F-86 fighters had to be rushed into production to keep us from being swept out of the skies. Even the F-86's were inferior in some respects, but fortunately our pilots were still better and we prevailed in the air war.

Some of the background and details to the arrangements whereby the Soviets acquired these engines has now been released, and in my view it is important that we in the West learn from our previous mistakes. One can only wonder why our allies in Western Europe do not see beyond their trade with the Communists and support the President's efforts to diminish East-West trade. The item from the Daily Telegraph of London for January 2, 1982, follows:

"OBsolete" JETS SENT TO RUSSIA GAVE MIGS
EDGE OVER WEST

Britain supplied 55 new jet engines to Russia in 1946, in the belief that they were obsolescent, to clinch a trade deal with Moscow.

But the engines cut the British lead in jet technology from five years to three over the Soviet Union, and the Russians used one of the engines to power its new Mig-15 fighter which was to be devastatingly effective against United Nations forces in Korea.

RAF chiefs opposed the sale, and Defense Ministers also decided that the engines, which had been taken off the secret list, should not be exported to Russia, say the Air Ministry files.

The head of the Soviet trade delegation in London then pointed out to the president of the Board of Trade (Sir Stafford Cripps) that Britain "appeared to be discriminating

against Russia in our export trade policy," one minute says.

SECURITY OBJECTION

Another paper adds: "the matter . . . became of some importance to a trade agreement and the president of the Board of Trade represented to the Prime Minister (Mr. Attlee) that if the engines were exported he could get the agreement through."

"The Prime Minister sent for the Chiefs of Staff and asked them whether, bearing in mind that the Russians could obtain the engines from some other country, if we refused to sell them, they wished to press the security objection."

"The Chiefs replied . . . that as it seemed as if the harm was already done and there were already strong positive reasons for exporting them, they did not wish to press the security objection, provided the license to manufacture was withheld."

"The export license was signed the same day, and the trade agreement was concluded immediately."

Subsequently the Russians asked for further engines, and supply of the total 55 (30 Derwents and 25 Nenes) was completed in 1947.

Later, Moscow asked for more engines and also for three Meteor and three Vampire jets, but London said the request could only be met if the Russians allowed British experts to see their aircraft.

After the appearance of the Nene in the Mig-15 there was a row on both sides of the Atlantic.

A telegram from the British Embassy in Washington, faced with angry Congressmen, says: "It would be helpful if you could authorise us to add (to a statement) that the 55 engines which were supplied were obsolescent."

But a minute from a serving officer in the file points out: "The two engines sold to Russia were the Derwent Mark V and the Nene Mark I."

"The Derwent is the latest mark and will definitely not be obsolescent this year. The Nene-I has not been introduced into the RAF for general purposes. It has, however, been used for experimental purposes on the Lincoln (bomber)."

Senior Air Ministry officials, drafting replies to M Ps' letters on the matter in December 1950, point out: "Our present belief that the Nene is in the Mig-15 confirms our opinion that the acquisition of this engine has been of great value to them (the Russians)."

"The state of Russian jet engine development has always been largely an unknown quantity to us, but in the light of our present information, it may well be that the sale of these engines has been of appreciable value to them."

"We must, however, remember that in 1946, when the decision was taken, there was still a chance that the Russians would adopt a reasonable course of conduct, and that the Government did not wish to give them grounds for complaint that we were withholding from them engines which had been sold to other countries."

Aviation experts believe the Mig-15 has had the biggest impact on the world scene of any combat fighter.

It could fly, climb and dive faster than any Western aircraft. Within eight months of the supply of the Nene engine, the Mig-15 prototype had flown and the engine was put into production in a slightly modified form without a licence. Eight thousand Mig-15s were built in Russia in five years.●

EL SALVADOR MUST MEET STIPULATIONS

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mrs. SCHNEIDER. Mr. Speaker, as we are all aware, the President recently presented a certification to Congress that the regime of President Jose Napoleon Duarte "has made a concerted, significant and good faith effort to deal with the complex political, social and human rights problems it is confronting and that progress is being made."

I see the insurance of "good faith" by the Salvadoran Government as totally inadequate in warranting that military aid be sent to the Government. Public Law 97-113 precisely stipulates that the Government of El Salvador must not engage in consistent patterns of human rights violations and must work toward the elimination of the murder of citizens by the Salvadoran forces in order to receive U.S. military aid.

Recently, I have heard a disturbing report of a military operation apparently directed against the civilian population in the northern region of El Salvador. Phillip Bourgeois, a Stanford University graduate student and son of an assistant secretary of the United Nations, claimed to have witnessed a massive aerial and ground attack on a column of 1,000 refugees seeking to escape the scene of conflict. He saw death and destruction before his own eyes.

I have called upon President Reagan to investigate these allegations in order to determine whether the Government is complying with the provisions under which military aid may be sent.

We must not allow a single U.S. dollar to be used in support of deliberate attacks on an innocent population.●

THE FEDERAL GOVERNMENT NEEDS TO CURTAIL ITS CREDIT APPETITE

HON. ED BETHUNE

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. BETHUNE. Mr. Speaker, I recently came across an interesting article written by Philip Lawler of the Heritage Foundation. His paper is entitled "Improved Economy Poses Problem for Credit Junkies."

Mr. Lawler makes the excellent point as to how Federal fiscal, monetary, and lending policies create corporate "credit junkies" who continually

borrow, fueled by high inflationary expectations.

Mr. Speaker, I would like to draw a conclusion from this paper—the Federal Government needs to curtail its credit appetite to help restore stability to credit markets. A good way to force the Federal Government to get off its credit kick is for this Congress to adopt H.R. 2372, which would bring Federal credit programs into the budget process so Congress would have a better control over the heretofore unbridled proliferation of these programs.

I commend this article to my colleagues and I also urge their support of H.R. 2372, the Federal Lending Oversight and Control Act.

IMPROVED ECONOMY POSES PROBLEM FOR CREDIT JUNKIES

(By Philip F. Lawler)

In the old whodunit mysteries, when the first corpse was discovered, the detective would immediately shout, "Cherchez la femme!" In murder cases, he would explain to his loyal sidekick, the most likely explanation involves a romantic involvement.

Politics, like crime, has its own internal logic. In Washington, when a program encounters unexpected opposition, the first rule of thumb should be: Cherchez la coin. More often than not, the people who oppose the program have some financial interests on the line.

These days, the leading political topic is President Reagan's economic program. And the unexpected opposition is coming from Wall Street, where the nation's financial markets are reacting coolly to Reaganomic remedies. So it should come as no surprise that the financial community does indeed have a special interest in the way the government combats inflation.

No one enjoys inflation. When the value of the dollar drops, the whole country suffers. But some people suffer more than others. Inflation, like any other economic situation, involves a whole set of conditions—conditions that can be either problems or opportunities. And during an inflationary episode, just as in any other economic climate, the people most likely to realize their opportunities are the people with the shrewdest financial judgment.

The most obvious opportunity provided by inflation comes from borrowing money. If you can secure a long-term loan at 10 percent interest, and hold onto that loan while inflation gallops up to 15 percent, you get, in effect, a 5 percent profit on your loan! So if you know that the dollar is going to shrink, you should borrow money from someone else, and let his dollars shrink. The lesson is straightforward: in times of inflation, debt is a good investment.

Whether they know it or not, most people who have bought homes in the United States recently have profited by this borrowing strategy. Until recently, mortgage rates were lagging behind the pace of inflation, while real estate values soared against the anemic dollar. As a result, thousands of homeowners have realized a tidy profit on their mortgages. Their real estate holdings are now increasing in value, while the borrowed dollars shrink. Mark Twain knew the situation years ago, when he counseled a young friend, "Buy land, son, they aren't making any more of it."

Twain was precisely right. Not even the government can manufacture land wholesale. But the government can manufacture dollar bills, and that's what it has been doing year after year, until no prudent investor wants to hold onto such a cheapened commodity. Instead, prudent investors pile up the opposite: debt.

Needless to say, this strategy is no mystery to the wizards of Wall Street. For years, major corporations have been borrowing heavily through the bond market, secure in the certainty that inflation would help write off the debts. In fact, some companies have been piling one debt on top of another, issuing short-term bonds to help meet the interest payments on long-term bonds. In several cases (such as Chrysler, Pan Am, and International Harvester), the immediate demand for debt financing has brought the company perilously close to bankruptcy. Ordinarily, corporations would be restrained from such heavy borrowing by the cost of interest payments. But while inflation raged, no such restraints were in place.

The result? The corporate community today includes a number of habitual borrowers: credit junkies. They need cash today to pay off the people whose bonds will mature tomorrow. So they must borrow again—probably by floating a new bond issue, at higher interest rates. These corporations must borrow, regardless of the interest rates; they have no choice.

Now what happens to these "credit junkies" when the government begins to rein in inflation? Slower inflation means tighter money, and tighter money usually means higher interest rates. So with interest rates going up, and inflation rates coming down, the habitual borrowers are caught in a squeeze. Borrowing is a winning proposition only as long as the benefits exceed the costs. If the corporation is paying 10 percent interest while inflation is running at 15 percent, the corporation has a good thing going. But if interest rates climb to 15 percent (as they have recently) while inflation drops under 10 percent, the mounting debt becomes a major concern.

In short, for credit junkies, tight money poses some very serious problems. If President Reagan is successful in curbing the erosion of the dollar, these corporate borrowers will feel the effects immediately. As a matter of fact, they have already begun to feel the effects, as the tightening of the money supply has driven their interest costs upward.

If borrowers could just stay out of the credit market for a while, the situation would resolve itself quickly. With fewer people seeking to borrow, the demand for credit would slacken, and—following the immutable laws of supply and demand—the price of credit would fall. Lower interest rates would bring those prudent borrowers back onto the market, and things would return to normal. But for many debtors—for credit junkies—there is no choice about whether or not to borrow. So the competition for credit continues unabated, and the interest rates climb.

How can we break out of this vicious circle? Unfortunately, there is no alternative to a tight money supply. Yes, of course the government could loosen up the money supply a bit to accommodate present needs. But that would only bring worse problems in the future, because without tight money it is impossible to stop inflation. Sooner or later, inflation must be brought under control. But since some people—borrowers—are

currently making a profit on inflation, naturally those people will feel the brunt of the counter-inflationary policy. And just as naturally, they will object to the policy that is hurting their own financial interests. That's what Wall Street is doing right now when it complains about the Reagan plan.

But "Wall Street" is not a unified body; it is a huge composite of different investors with different interests. The credit junkies are only one of Wall Street's many voices. Other, more prudent voices are now worried that the government will accede to the demands of the inflation lobby. They worry that the money supply will be loosened again, and the nation will have to brace itself for another round of inflation. And to guard against this possibility, they are hedging their investments. How do they do this? By demanding high interest premiums. So yet another factor is added to the high cost of interest.

If and when Wall Street is fully convinced that the government is determined to keep money tight, that assurance in itself will help bring interest rates back toward normalcy.

The great Austrian economist, Friedrich von Hayek, once likened a government in an inflationary state to a man holding a tiger by the tail. We know how to stop inflation, just as the man knows how to release his grip. But we can't expect to escape without some scratches. The choice is clear: we can let go of the inflationary tiger now, and face the consequences. Or we can keep clinging to the tiger's tail, out of fear. But the tiger isn't getting any friendlier, and he's hungrier every day. ●

LADY TECHSTERS

HON. JERRY HUCKABY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. HUCKABY. Mr. Speaker, I want to brag a little bit. Louisiana Tech University of Ruston, La., which is in my congressional district, has the best women's basketball team in America, and I want to give them some much-deserved credit.

The Lady Techsters, the name by which they are known, and the name which strikes fear in the hearts of women's basketball teams across this land, have compiled an enviable record.

Winning the national championship is an honor which any sports team would love to have in its trophy case. The Lady Techsters did this last year, going through the entire season undefeated.

But this band of talented young ladies did not stop there. They continued to win and win and win. Just recently, they broke the all-time winning streak for women's basketball when they captured their 51st straight victory.

The Lady Techsters went on to stretch the streak to 54 games before losing their first game in 2 years. Sports experts feel the 54-game record

set by the Lady Techsters may stand for all time in women's basketball.

The reasoning is that women's basketball is an emerging sport, gaining in quality and popularity all the time. Competition is keen, and it is going to be harder and harder for one team to dominate the sport.

The Lady Techsters certainly dominate it now. They have been consistently ranked No. 1 in the country and held on to that ranking despite the recent loss. It shows that the sports-writers are convinced that this is a legendary team.

A great deal of credit must go to the outstanding coaching staff. Head Coach Sonja Hogg is the guiding force behind this winning machine, with the help of two outstanding assistant coaches, Leon Barmore and Gary Blair. Hogg and Barmore are Louisiana Tech graduates.

I had the pleasure of watching the Lady Techsters play the University of Maryland this past Monday night at Cole Field House. It was the first game following the loss which ended the 54-game win streak, and we were apprehensive about how the Lady Techsters would react. After all, Maryland was ranked fifth in the Nation and had a 12-game win streak of its own.

But the Lady Techsters proved to be true champions, beating Maryland 73-56, embarking on another win streak.

After the game, I had the opportunity of meeting the Lady Techsters at a reception. I was impressed. They are a group of intelligent young ladies who have exceptional athletic ability.

They have handled the pressure and acclaim exceptionally well, and I know that under the leadership of a fine coaching staff, they will go on to greater heights.

What makes me even prouder is that 6 of the 14 players on the roster are from Louisiana; 4 of them are my constituents.

Here are the names and home towns of the Lady Techsters: Angela Turner of Saline, La.; Julie Wilkerson of Tioga, La.; Jennifer White of Loretto, Tenn.; Kim Mulkey of Hammond, La.; Pam Gant of Joliet, Ill.; Sandra Felton of Cordele, Ga.; Lori Scott of Jackson, Miss.; Ann Pendergrass of Ruston, La.; Debbie Primeaux of Bell City, La.; Pam Kelly of Columbia, La.; Debra Rodman of Dallas, Tex.; Tia Sossamon of Raymore, Mo.; Janice Lawrence of Lucedale, Miss.; and Rita Rust of Shreveport, La.

These Lady Techsters have worn the red and blue of Louisiana Tech to national prominence, and I just want to say congratulations on a job well done. ●

CAPITAL BUDGETING

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. EDGAR. Mr. Speaker, I would like to comment to the attention of the House a recent column which appeared in the New York Times. Authored by my friend and colleague from Pennsylvania, BILL CLINGER, the column urges that we at the Federal level explore the concept of a capital budget in order to get a handle on Federal capital expenditures.

Many Members are becoming familiar with the Federal capital budget idea. As BILL CLINGER points out, a primary use of a separate listing of capital projects would be "a conscious balancing of the Nation's operating costs and national infrastructure needs." The current piecemeal process of project authorization has led not only to pork-barreling but also to serious disinvestment in maintenance of our huge Federal assets in roads, bridges, transit systems, water systems, and all other items of the Government's physical plant.

I hope the House will carefully consider the comments of BILL CLINGER, a leading thinker on the national capital budget concept.

[From the New York Times, Feb. 2, 1982]

CAPITAL-BUDGETING

(By William F. Clinger, Jr.)

WASHINGTON.—The Government must turn its attention to the national infrastructure—highways, sewers, ports, bridges, water systems—if the economy is to expand.

So far, the providing of supply-side incentives to the private sector to promote national economic renewal has excluded attention to infrastructure problems, but that is a risky course. Indeed, "America in Ruins," a 1981 report by the National Governors Association, states that up to two-thirds of our towns and cities cannot accommodate new economic growth because local infrastructures are either worn out or undersized. The cost of reversing this decline is staggering. But the consequences of not doing so are even worse to contemplate.

The Federal Highway Administration estimates the cost of repairing or replacing America's deficient bridges at \$41 billion. Aside from \$7 billion worth of deferred maintenance that is needed, the outlay required to preserve the Interstate Highway System, which represents only 1 percent of the nation's roads, is estimated at \$1.4 billion annually through 1991.

Unfortunately, these statistics, though somewhat known in Washington, nonetheless usually do not focus attention on infrastructure problems because of the more immediate demands placed on the Federal budget to meet the growing costs of current programs, especially entitlements. This is particularly true in a period of fiscal restraint. It may take a catastrophe to focus our attention on infrastructure problems.

Congressional efforts to evaluate spending priorities tend to ignore infrastructure needs, principally because the Federal

budget does not distinguish between operating costs and capital expenditures. Past efforts to distinguish between these two categories have failed, largely because of criticism that doing so would result in large expenditures on public-works projects at the expense of more-immediate human needs.

In a new approach to capital-expenditures budgeting, the Government could neutralize this concern by mandating that national infrastructure needs be presented in the budget apart from operating expenses, while at the same time not requiring additional spending for them. Under this approach, infrastructure needs would be catalogued in the budget. This would enable Congress to set spending priorities with a clearer understanding of long-term ramifications, especially the consequences of failing to address crucial problems.

As part of its budget deliberations, Congress could attempt a conscious balancing of the Government's operating costs and national infrastructure needs. At present, projects are approved piecemeal, and this practice encourages the pork-barrel approach to decision-making.

The logical first step away from pork-barreling toward a more objective approach is to shift decisions about meeting infrastructure needs away from what has been a purely legislative process. Only the executive branch can provide a fully detailed analysis of infrastructure requirements nationwide so that an inventory of these needs can be juxtaposed against other budgetary requirements. At the same time, an assessment can be made of Federal, state, and local responsibility for various infrastructures.

At present, no single Federal agency is responsible for defining or monitoring capital investments. As a result, assets that are capital investments to some agencies may be considered current expenses to others—for example, Agency A may view new office furniture as a capital outlay, and Agency B may view it as a standard annual expense—despite the practice since 1951 of summarizing the investment, operating, and other outlays of the Government each fiscal year.

While the idea of writing a budget that incorporates capital expenditures has received a somewhat less than enthusiastic response in the past, largely because of the complexities involved, there is no reason why a more limited approach dealing specifically with infrastructure needs could not be used effectively.

It is unfortunate that a large and growing number of communities find their economic revitalization efforts hamstrung because of the condition of their basic public facilities. This is a situation that cannot be overlooked by an economic plan dedicated to a "full investment" philosophy. It is difficult to foresee capital investment increasing rapidly unless the business community is convinced that a prosperous future is possible.●

INTRASTATE QUARANTINES OF ANIMALS AND POULTRY UNDER EXTRAORDINARY EMERGENCY CONDITIONS

HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. WAMPLER. Mr. Speaker, today I am introducing legislation, at the re-

quest of the U.S. Department of Agriculture, that would authorize intrastate quarantines of animals and poultry under extraordinary emergency conditions.

This bill would expand the powers of the Secretary of Agriculture after he has declared an extraordinary emergency due to the existence of any dangerous, communicable disease of livestock or poultry of the United States. Public Law 87-518, the act of July 2, 1962 (21 U.S.C. 134a(b)) authorizes the Secretary to declare such an extraordinary emergency and take specified actions when he finds that a State or other jurisdiction is not taking adequate measures to control any such disease. USDA presently does not have authority to prevent the intrastate movement of animals, animal carcasses, animal products, or articles in such an emergency situation, unless the Secretary finds that the animals are or have been affected by or exposed to such a disease and that the carcasses, products, and articles were so related to such animals as to be likely to be a means of disseminating such disease. Then he may seize, quarantine, and dispose of the particular animals, carcasses, products, or articles involved.

The Department of Agriculture feels that additional authority is needed to quarantine specific localities and control the intrastate movement of animals, their carcasses, and related products and articles which are not necessarily found to be affected with or exposed to any dangerous communicable disease of livestock and poultry. This additional authority would make it possible for USDA to implement the most effective quarantine controls to prevent the inadvertent intrastate spread of such a disease from affected localities. Uncontrolled movements of livestock and poultry into affected areas can hamper control and eradication efforts by increasing the population of exposed animals needing treatment. The outbreak of exotic Newcastle disease in southern California in 1971-73 and recent outbreaks in March and April of 1980 in California, Virginia, and Pennsylvania clearly demonstrate the need for this additional authority, according to the Department of Agriculture.●

NATIONAL NOTARY ASSOCIATION SILVER ANNIVERSARY

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. GOLDWATER. Mr. Speaker, it was 25 years ago when Raymond C. Rothman originated the California Notary Association, which became the

National Notary Association 8 years later.

Under Mr. Rothman's leadership for many years, and most recently, under the guidance of Deborah M. Thaw since 1979, the NNA has grown to 40,000 members nationwide. The NNA provides a number of valuable services to its membership, including the publication of "The National Notary" magazine, an information service telephone "hotline" to answer members questions, toll-free; numerous education conferences across the Nation; and international cooperation with the NNA French counterpart.

In a survey NNA conducted in 1975, they found 2.5 million notaries in the United States. The next year, the NNA developed the first ethical training program and ethical code for American notaries, and in that same year, Mr. Rothman was commended by the Department of Justice for participation on the Federal Advisory Committee on False Identification.

For this enormous contribution to the fine group of citizens who help us cope with the increasingly difficult flow of legal papers in our lives, I salute the National Notary Association, its officers and members, on their 25th anniversary.●

NURSING HOME BILL OF RIGHTS

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. WYDEN. Mr. Speaker, I am pleased today to submit a resolution expressing the sense of the House that we must preserve basic human dignity and rights for America's nursing home patients through strict enforcement of a nursing home patient's bill of rights.

The Department of Health and Human Services is reviewing regulations that guarantee these rights. As the Department has expressed some hesitation about the need to continue enforcing these regulations, I believe it is critical that Congress declare its intent that they be maintained.

The reasons are compelling. Prior to coming to Congress, I spent 7 years working with senior citizens, including a term as public member of the Oregon Board of Examiners of Nursing Home Administrators. During that time, I heard story after story about abuse of elderly nursing home patients.

Stories of elderly patients who were over drugged.

Stories of patients who were denied even the most basic rights of privacy.

Stories of patients afraid to tell anyone about their predicament for fear of retaliation.

Regrettably, these were not just stories. Too often, they were only too true.

These kinds of abuses first came to widespread national attention during the late 1960's and early 1970's, largely as a result of congressional investigations and hearings. Faced with the damning evidence, Congress required the Secretary of the then Department of Health, Education, and Welfare to issue regulations that would insure basic rights to nursing home patients.

As promulgated, these regulations protect patients from over drugging or other abuses of medication and guarantee them the right to privacy and the right to information about charges and services. The regulations have been in force since 1974 for skilled nursing facilities, and since 1976 for intermediate care facilities. They are needed today more than ever—both for the benefit of the patient—and for the benefit of the institution.

The benefits to the patient are obvious. It is enough that the institutionalized elderly must give up at least a measure of their physical freedom. They should not also be forced to give up their emotional freedom—their sense of dignity and individuality.

For the institution, the guarantee of patients' rights means a happier, more cooperative resident population. Patients who understand their condition, are able to participate in the planning for and implementation of their treatment and are guaranteed basic rights of privacy will feel more positive about the care they are receiving. As a result, they will also be more likely to respond well medically.

Many nursing homes provide quality, humane care—and would do so even without these regulations. We are not concerned about those homes. But the only way we can insure individual freedoms for all nursing home patients in all nursing homes throughout America is by maintaining the current regulations.

Remember, these regulations provide for only the most basic human rights. At the very least, we must guarantee their continued enforcement.

Support for enforcement of nursing home patients' rights has come from a broad spectrum of citizens groups as well as from the American Health Care Association. These groups agree America's nursing home patients have a right to decent care—and to the protection of their individual freedoms.

I hope my colleagues will join me in this very important effort. Senator WILLIAM COHEN and Senator JOHN HEINZ have introduced this resolution in the Senate and are spearheading efforts for its passage there.●

COOPERATION: THE NATION'S MOST EFFECTIVE WEAPON AGAINST CRIME

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. FAZIO. Mr. Speaker, I introduced legislation to correct what I view as a very serious breakdown in cooperation and communication between our Federal parole and prison authorities and local and State law enforcement officials.

Recent articles appearing in the Sacramento Union by K. W. Lee and Dave Miller have brought out into the open a policy of the U.S. Parole Commission which prevents local parole officials from fully cooperating with local law enforcement agencies. The policy of the Parole Commission keeps local officials in the dark about the presence of Federal parolees who have been released into their jurisdiction. Moreover, a related practice of the Federal Bureau of Prisons fails to notify local law enforcement officials of persons who remain under the Bureau's supervision but have been released to a community halfway house.

The Federal practice is rather ironic, particularly in light of the current emphasis on sharing law enforcement information between various authorities at all levels of government. For example, Judge Webster, the Director of the FBI, recently made an address to the International Association of Chiefs of Police entitled, "Cooperation: The Nation's Most Effective Weapon Against Crime."

As we have seen in Sacramento, the current parole and prison policies have created an unnecessary impediment to effective law enforcement, a potentially dangerous threat to local communities, and an unmanageable burden on those responsible for supervising Federal parolees and prisoners. My bill would correct this faulty policy by requiring the Parole Commission and the Bureau of Prisons to disclose certain identifying information on parolees and prisoners to local law enforcement agencies for legitimate law enforcement purposes, including crime prevention and surveillance.

My bill also seeks to bring Federal parole and prisoner release practices in line with those followed by the State of California and other States with regard to searches and seizures.

The bill would require the U.S. Parole Commission and the Federal Bureau of Prisons to promulgate regulations requiring all Federal prisoners released from halfway houses and certain parolees—particularly violent offenders and drug smugglers—to sign a waiver of their fourth-amendment

rights against search and seizure as a condition of release. The provision would allow any Federal, State, or local law enforcement officer to conduct a legal search of a parolee's or prisoner's person or property without first obtaining a warrant. If the parolee or prisoner signed such a waiver and then failed to permit a search of his person or property, that alone would be grounds for revoking parole or the prisoner's permission to remain in a nonsecure facility.

Federal and State courts have long upheld the practice of depriving a parolee or prisoner of his fourth-amendment rights against search and seizure. A parolee or prisoner residing in a halfway house is still officially under the supervision of the correctional authorities even though he may be serving the remainder of his term outside of the prison walls. Therefore, his rights are limited in the same manner as a prisoner who remains in confinement.

Crime is regularly identified in national polls as one of the most important issues in the eyes of the American public. The local law enforcement officials in my district assure me that this modest bill will make important improvements in their ability to protect their communities, and at a minimal cost to the Federal or local governments. I believe this is a measure which will appeal to all of your local law enforcement officials and enable you to make a positive contribution to their efforts to reduce the levels of crime in your communities. I urge you to join me as a cosponsor.

I respectfully submit a letter I received from John Kearns, Chief of the Sacramento Police Department to be printed in the RECORD.

CITY OF SACRAMENTO,
DEPARTMENT OF POLICE,

Sacramento, Calif., January 22, 1982.

HON. VIC FAZIO,
Congressman, Fourth District,
Sacramento, Calif.

DEAR CONGRESSMAN FAZIO: The topics of crime, crime prevention and punishment are on the lips of the entire Sacramento community. Outraged citizens are not only demanding that police apprehend criminals, but become more proactive in their approaches to combating the crime wave that has invaded residential streets and the living rooms of their homes.

Faced with diminishing governmental resources, law enforcement agencies must turn to legislative and administrative remedies to provide assistance that will aid in the identification, apprehension and incarceration of criminals. We have identified prison parolees as one group which is responsible for a disproportionate amount of criminal offenses in comparison to their numbers in the general population of the Sacramento area. In-depth studies were conducted to provide information with which action plans could be made to resolve the problem.

Our studies revealed that the City of Sacramento had 12 State penal institutions within a 60 mile radius of our jurisdictional boundaries. The County of Sacramento also

was receiving approximately three parolees for each two commitment made to a State institution. Not only were we receiving parolees directly from State institutions, but approximately one third of our parolee population transferred their parole here after initially being released to another county. This becomes even more alarming when you take into consideration that approximately 36% of inmates currently in State institutions have had one or more prior prison sentence.

The predicament caused by Federal parolees is even more frustrating due to the U.S. Parole Commission policy of not providing any information to local law enforcement agencies regarding the number, identity or conditions of parole. Information is only provided when a specific individual is being investigated for a specific crime. Several violent crimes have recently been committed by Federal parolees and/or inmates of Community Correctional Centers which have endangered the lives of citizens and the lives of local law enforcement officers investigating these offenses. In all of these cases local law enforcement did not have any knowledge of their presence in our community and in some cases thought they were presently serving sentences in the Federal Bureau of Prisons.

The parolee problems involving parolees from State institutions are being resolved through the enactment of legislation requiring State agencies to notify local law enforcement agencies within ten days of the release of any parolee that is residing or temporarily domiciled in our jurisdiction. In addition to this, information including photographs, fingerprints and a criminal history are provided with the notification. Administrative steps have also been taken to return parolees to the county of commitment and legislation is pending which will codify the administrative policy.

The same steps need to be taken to resolve parolee problems at the Federal level. Listed below are my recommendations for corrective legislation.

1. The name, residence, conditions of parole, photograph, fingerprints and criminal history of all Federal parolees should be provided within ten days of their release to local jurisdictions.

2. Provide the name, residence, photograph, fingerprints and criminal history of all Federal prisoners released to non secure facilities or half way houses in a community.

3. The conditions of parole should include a provision allowing a search of the parolee and any property under his control without a warrant for the term of parole.

4. Any violation of the conditions of parole should result in a parole hold being issued for the detention of the parolee. Parole holds are not issued in the Eastern District of California if it is felt they would interfere with the local bail process.

5. The safety of the community should be the primary factor in deciding whether or not to disclose parolee information to local law enforcement agencies.

6. Community Correctional Centers or Half Way Houses should be covered by the standards applicable to local detention facilities. If no standards exist at the Federal level, steps should be taken to develop some.

7. The criteria for placement in Community Correctional Centers should exclude career criminals and those with a history of violent crimes.

These legislative and/or administrative recommendations will provide needed assist-

ance in combating our rising crime rate by improving the capability of local law enforcement to investigate crimes and apprehend criminals.

I also would like to state that it has been particularly gratifying to have local elected representatives of Federal and State Government respond so swiftly and in a positive manner to the needs of law enforcement and the community it serves.

Sincerely,

JOHN P. KEARNS,
Chief of Police.●

EXPORT-IMPORT BANK AND DEATH IN AFGHANISTAN

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. McDONALD. Mr. Speaker, it was only a few days ago that the Committee for a Free Afghanistan passed the word to this office that a young man who had been in the United States working selflessly for his people in his native land met his untimely death on combat against Soviet troops and equipment on December 17, 1981.

It was on January 4, 1980, that the New York Times pointed out that equipment built at the Kama River plant in the Soviet Union with American money—and technology, is being used against the innocents of Afghanistan. Was it not back on March 5, 1973, that the first Export-Import Bank Credit to the tune of \$153,950,000 was approved to finance this advance of Soviet military power that would end up promoting death and destruction world wide. As if to add insult to the death of innocents, the Soviets received the loan at 6 and 7 percent interest with no demand to begin paying off this loan before October 10, 1977. That is approximately 4½ years.

It is no small secret that Americans returning from Southeast Asia related the amount of U.S. technology being used against them. Should not the American taxpayer put a stop to this financing of murder by the Soviets? Would not it be wonderful if an American could buy a car these days at 6 to 7 percent interest with no downpayment for some 4½ years? It is high time that all of this nonsense cease.

On this date, for the benefit of my colleagues, I share the reality of only one Afghan named Hakim who met death as a result of U.S. technology. I pray that it will not be the death of the son of a businessman who sold his soul for a dollar to the Soviet Union, that will halt this monstrous practice. Let us put the Export-Import Bank out of business and save this Nation some money. It is money that most of us know from what is happening in Poland that will never be paid back.

We are lucky if we get the interest paid, let alone the principal. And in the final analysis let us remember that we cannot pay back the sin of the death of Hakim—nor the sin of future Americans killed with the fruits of American technical know-how—and money.

The release on Christmas Eve, 1981 from the Committee for a Free Afghanistan follows:

COMMITTEE FOR A FREE AFGHANISTAN,
Washington, D.C., December 24, 1981.

Many who have worked with us in the cause of a Free Afghanistan remember Hakim, the young man who worked selflessly as a volunteer for the Committee. For months he gave six to eight hours a day to us, his only reward being the satisfaction that he was working for the cause of his country and his people.

Hakim was an Afghan. He came to study in America at the age of 14. When his country was invaded by the Soviet Union, the fires of patriotism awakened in him. The Pathan warrior in him burned to fight for his country. After a while the work of the Committee was not enough for this son of Afghanistan.

We mourn his death now. Hakim was killed in combat in Afghanistan on December 17. Buried where he fell, with a proper Islamic burial, Hakim has, in accordance with Islam, gone to his reward as a martyr in a holy war. He has paid the ultimate price demanded for the freedom of man.

We sorrow with his parents, who only recently escaped with their lives from Afghanistan, and with his brothers and sisters. He was a noble youth, the future of Free Afghanistan, a young man of courage who did honor to his people and his cause. He was 21.

COMMENDING ERIE COMMUNITY COLLEGE

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. LaFALCE. Mr. Speaker, it is with a special degree of pleasure that I draw the attention of my colleagues to the recent completion of the new city campus of the Erie Community College in Buffalo, N.Y. The official ceremonies for the new campus will take place on February 15, 1982.

Erie Community College, known to us in western New York as ECC, takes a bold step as it moves into its new facility. But that is nothing unusual for an academic institution which has always been at the forefront of new endeavors. The new city campus is located in the renovated former U.S. Post Office Building in Buffalo. This well-known historic landmark, in the heart of the community which ECC serves so faithfully, was built for the Pan-American Exposition of 1901.

The beautiful renovated building blends the old and the new—classic architectural style with modern classrooms, offices, and equipment. It is al-

together fitting that the campus should blend the old and new because the institution itself has a rich heritage of past contributions to our community and a future marked by open horizons and opportunities.

The commitment of money and expertise to make the new campus a reality represents a cooperative effort by Erie County and New York State to encourage both the continued academic excellence of ECC and the revitalization of the downtown Buffalo area.

Already, classes are underway at the new campus. Each day 1,650 students are enriching their lives and opening new doors for the future. This vital undertaking is echoed at the college's other two campuses in Erie County.

For those of us who live in the Erie County area, ECC has always been synonymous with excellence in achievement and unsurpassed service to the local community. So, too, has New York State and the Nation benefited from the contributions of ECC's faculty, administration and, of course, its graduates. The Congress commends Erie Community College for these many contributions.

Mr. Speaker, I know that my colleagues join with me in extending our congratulations to ECC on its move to its new campus and we wish the school continued success.

PITTSWAY: A SHINING EXAMPLE OF CORPORATE SOCIAL RE- SPONSIBILITY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. PORTER. Mr. Speaker, a Washington Post editorial asked recently whether corporations should be expected to fill the money gap for social programs that have been cut by the Federal Government. It cited a survey just completed by a New York based business research institute, the results of which imply that it is naive to count on corporations to take up the slack.

This survey of 427 major corporations indicated that only 6 percent planned to increase gifts in response to the President's request. The report suggested that increased donations would be essentially a function of higher profits and inflation. If, on the other hand, the corporations felt squeezed, these same contributions would be reduced.

Apparently the survey also highlighted what it calls an important flaw in the plan to shift responsibility to businesses. That is, the propensity of corporations to support only certain kinds of popular and relatively uncontroversial endeavors. Arts and education would be likely recipients of aid,

not the social programs that have traditionally received Federal Government support and which are not considered to be the responsibility of corporations.

I am proud to say that I have a corporation headquartered in my district that defies this editorial's expectations as well as those of the survey that it cites. The Pittway Corp., based in Northbrook, Ill., is a business that obviously takes very seriously its role in picking up the slack in Government funding. In fact, Pittway recently announced that it is giving \$400,000 to the State Department of Children and Family Services for a 3-year research project aimed at preventing child abuse and neglect. Their gift will be matched by DCFS to fund four or five community based programs statewide. The \$150,000 to \$200,000 grants for the fiscal year beginning July 1 will be awarded in a competition to select the most creative proposals. It is hoped that the project will prove that abuse and neglect can be curbed by addressing some of the causes—teenage pregnancies, low-birth-weight babies and adequate parenting skills—as well as providing support services for parents.

Pittway's gift is certainly unparalleled in Illinois history and provides a very hopeful sign of the willingness of the private sector boldly to assume a new and more socially responsible role—taking up where Government leaves off. I would encourage other businesses to follow Pittway's innovative and generous lead.

NOT A PEEP ON CHILE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. OTTINGER. Mr. Speaker, I am including in today's RECORD an editorial which recently appeared in the New York Times, criticizing the blatant failure of the Reagan administration's "quiet diplomacy" in correcting human rights violations in Chile.

Wherever it has been applied, this quiet diplomacy has become a camouflage for U.S. complicity in the most brutal human rights violations. In the case of Chile, this quiet diplomacy has paved the way for the Pinochet regime to engage in massive repression without a peep of protest from our Government. As the editorial states:

Chile's military chiefs have evidently decided that the Reagan Administration will cause them no trouble on human rights.

I urge the Reagan administration to abandon this quiet diplomacy, which amounts to diplomacy by acquiescence, and pursue human rights as a fundamental component of U.S. for-

eign policy. I commend the editorial to the attention of my colleagues:

NOT A PEEP ON CHILE

Chile's military chiefs have evidently decided that the Reagan Administration will cause them no trouble on human rights. On Dec. 10, which Mr. Reagan had just joined in proclaiming as Human Rights day, they arrested at least seven dissidents, including three officers of Chile's Human Rights Commission.

Last August, the junta showed comparable brazenness. Jaime Castillo, the commission president, was banished immediately following a visit to Chile by Jeane Kirkpatrick, the United States delegate to the United Nations. Mrs. Kirkpatrick was thus repaid for her call for improved ties with Santiago. The more Chile persists in these jailings and expulsions, the more insulting the implied judgment about Mr. Reagan's backbone. At the United Nations, American delegates have persistently voted against any censure of Chile on grounds that Latin America has been invidiously singled out for censure.

But Latin democracies, in making the same point, abstain. And in regional forums like the Organization of American States, Washington has yet to utter a critical peep about Chile, where a return to civilian rule is not even promised before the end of the decade.

To be sure, "quiet" diplomacy is supposed to produce reforms in anti-Communist tyrannies like Chile. The arrests on Human Rights Day show just what the silent approach truly produces.●

**THE CENTENNIAL YEAR OF
FINDLAY COLLEGE**

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● **Mr. OXLEY.** Mr. Speaker, with these remarks, I would like to commemorate the "Centennial Year of Findlay College," in my hometown of Findlay, Ohio.

Findlay College has been educating young people in the liberal arts tradition for the past 100 years. My esteemed predecessor, Tennyson Guyer, was a 1934 graduate. My father is also an alumnus, so I have a special interest in the college's past and, more importantly, its future.

The articles of incorporation which established Findlay College were signed and sealed on January 28, 1882. Previous to this event, the Churches of God had endeavored for 25 years to begin an institution of higher learning. John Gable, one of the founders, described the nature of the college as follows:

We presume to assay that it will be one in which the spiritual functions of the body as well as the intellectual will become a power for the good to "The Body." (The Church)

A board of trustees was formed and a charter obtained. The city of Findlay donated 10 acres of land and \$20,000. The Churches of God also

made contributions, and the first building was completed in 1886. Then 10 faculty members began teaching the first 95 students. In June 1889, two degrees were conferred in the first annual commencement.

The main building was damaged by fire twice, in 1917 and 1938. Both times, it was rebuilt. Since then, many other structures have been added. Most recently, the college dedicated Shafer Library and the Croy Physical Education Center in the late 1960's.

William Harris Guyer, the late Congressman Guyer's father, attended Findlay College and served as its president from 1913 to 1926. Tenny apparently inherited his talent for public speaking from his father, who was well known as a preacher throughout Ohio and Pennsylvania. Under his guidance as president, the college experienced the largest enrollment increase in its history and the number of faculty grew to 25. Dr. Guyer died suddenly in 1926, and Findlay College lost an enthusiastic supporter.

As we are all aware, the times have not been easy for small liberal arts colleges. So, this 100th anniversary is indeed a cause for celebration. I congratulate Findlay College on this fine accomplishment.●

**DENVER POST: THE NEW
NONSENSE**

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● **Mrs. SCHROEDER.** Mr. Speaker, the chief of the Denver Post Washington Bureau, Leonard Larsen, recently described President Reagan's state of the Union message as the "New Nonsense," which could very well lead to the balkanization of the States.

The article, from the January 31, 1982, Denver Post, follows:

THE NEW NONSENSE

WASHINGTON.—As President Reagan's chief aides explained prior to the State of the Union speech, his New Federalism proposal has been his "dream" since his days as governor of California.

The federalism the president offered, however, would appear more a plan for fragmentation or balkanization of the states.

The plan would reject the conviction that all Americans are in this together, that the fortunes of a Detroit auto worker are tied to those of a wheat farmer in eastern Colorado, that a New York stockbroker is tied to a Kentucky miner and an Alabama schoolteacher.

Reagan may or may not have deliberately timed announcement of his New Federalism to observations of the centennial of Franklin D. Roosevelt's birth.

It turns out that the balkanization of the states outlined by Reagan is a repudiation of Roosevelt's vision that national problems, whether or not their intensity is suffered equally in all states and cities, are national

concerns demanding the national government's attention and resources.

It's easy enough for a former governor of California, who was and maybe still is fond of portraying that state with its immense resources and vitality as a separate nation, to suggest to other states:

"I've got mine. Take care of yourself."

But it's another thing for other states and cities poor in natural, industrial, educational, health and even human resources to be cut adrift and told that federal programs on which they depend are to be the states' responsibility.

On that point, there is a suggestion in the president's State of the Union speech and his "bold and innovative" plan that, aside from his stunned and angry wonder, at the growth of the federal government, he has not kept track of what's happened in this country in the past several decades.

Many of these federal programs grew out of the Roosevelt era and became gargantuan in the Great Society era through the realization of the Congress that national needs couldn't—or wouldn't—be met at the state and local levels.

Reagan acknowledged there are critics who will say, "Our states and local communities are not up to the challenge of a new and creative partnership." But, he continued in an outburst of happy patter, reforms "like reapportionment and the Voting Rights Act" had removed any such doubts and he had "faith in state and local governments" to meet obligations they previously wouldn't or couldn't.

That may cheer the president, but it can't be a cheerful outlook for minorities and the poor and uneducated and the skilled in states whose political leaders still smolder with resentment that federal law inflicted on them the fairness of one man-one vote and universal voting rights.

To suggest, as Reagan did in that sophistry, that forcing federal voting requirements onto many reluctant states cured generations of oppression and indifference and had also produced financial ability independent of federal aid is simply nonsense.

To insist again, as Reagan did in his speech, that voluntarism can pick up the slack when more than 40 programs—social and welfare, highway construction, mass transit, sewer and domestic water supply and others—become total state obligations is soaring nonsense.

There's the rub in the New Federalism—the provision that the federal government will be shed of its obligations for these programs by 1991 and the states can then "preserve, lower or raise taxes on their own and fund and manage these programs as they see fit."

Perhaps as it's been suggested, the Reagan New Federalism is a display item, not meant for sale but intended to divert attention from the economic woes confronting his administration here and now.

But if he's serious, can the president seriously believe that the generation of elected officials in 1991 is going to rush into a round of increased taxes to help folks and functions the federal government has abandoned as no longer necessary and not a national responsibility?●

ELIMINATION OF PUBLIC HEARING REQUIREMENTS OF THE PLANT QUARANTINE ACT

HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. WAMPLER. Mr. Speaker, today I am joined by Chairman DE LA GARZA in introducing legislation that would eliminate an unnecessary regulatory requirement of the U.S. Department of Agriculture Animal and Plant Health Inspection Service, commonly referred to as APHIS.

APHIS is responsible for promulgating regulations under the Plant Quarantine Act to restrict the importation into the United States of certain articles in order to prevent the introduction of injurious plant diseases or insect pests; and for quarantining States, territories, or districts of the United States or portions thereof with respect to certain movements of specified articles to prevent the spread of these plant diseases or insect infestations. The Plant Quarantine Act requires that a public hearing be held before a regulation may be promulgated for any of these purposes.

The public hearing requirements of the Plant Quarantine Act of 1912 are outmoded. These requirements were established in order to encourage public participation in rulemaking procedures. However, the public hearing requirements were promulgated prior to the enactment of the Administrative Procedures Act, which contains provisions with respect to public participation in rulemaking proceedings which are considerably more comprehensive.

Based on experience, it has been ascertained that benefits derived from public hearings based on the Plant Quarantine Act are minimal. These same goals can be achieved more efficiently by publication in the Federal Register in accordance with the requirements of the Administrative Procedures Act, as set forth in sections 552 and 553 of title 5 of the United States Code. By utilizing the opportunities for written public comments, in most instances, expenditure of funds would be minimal and primarily employed for review of the comments submitted. In addition, direct contact would be possible with affected industries and governments to obtain additional views. The cost of conducting public hearings under the present requirements on average has been estimated at \$4,000 for a public hearing. The Department of Agriculture has provided statistics which would indicate that this proposed legislation to eliminate the public hearing requirement under the Plant Quarantine Act would not deny the public opportuni-

ties for participation in the rulemaking proceedings, but would eliminate an unnecessary regulatory requirement. At the same time, a small savings in money would be noted and the time of Federal officials and State officials participating in these hearings should also be considered, as it has been estimated that the public participation has amounted to only about 47 percent of the total attendance at such hearings.

In these days of seeking ways to effect budget savings, it seems only reasonable to enact this legislation into law.●

FUTURES TRADING ACT OF 1982

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. JONES of Tennessee. Mr. Speaker, today Congressman JEFFORDS and I are introducing a bill entitled the Futures Trading Act of 1982 which has been submitted to Congress by the Commodity Futures Trading Commission. The bill is being introduced by request.

As chairman and ranking minority member of the Subcommittee on Conservation, Credit and Rural Development, which has legislative jurisdiction over the Commodity Futures Trading Commission, we have scheduled hearings on this bill for February 23, 24, and 25.

Any Members having views on this bill or the general area of reauthorization of the Commodity Futures Trading Commission are invited to testify at the hearing or submit written testimony to the subcommittee.●

UNFAIR TRADING

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday February 3, 1982

● Mr. FINDLEY. Mr. Speaker, I am increasingly concerned that our present market orientation in farm policy is being undermined by unfair trading practices among our overseas competitors.

I do not fault the present administration. Surely, the President has done more to confront this problem than any administration in recent history. At the same time, more work is needed.

During the past year we have seen increasing European Economic Community interest in limiting European imports of corn gluten feed and other feed grain substitutes. Our shipments of these commodities, including grain

byproducts, sugar beet pulp, brewers and distillers' grains, and citrus pulp, are running ahead of previous years' levels.

Naturally, our European friends are concerned that these increased imports are forcing the EC to export wheat and barley. However, this is not the case. The EC's own internal policies of encouraging surplus production through artificially high price supports are the cause of their current problems.

In recent months we have seen the European Community discuss an import duty or variable levy on feed grain substitutes. We have seen them negotiate an informal voluntary restraint agreement with Thailand over manioc, another imported feed grain substitute of concern to them. Now, the Europeans apparently are interested in negotiating a voluntary restraint agreement with the United States. I think this would be ill advised.

Similarly, I am concerned about recent EC efforts to impose a tax on vegetable fats and oils. Imposition of such a tax would cut into our exports of soybeans; exports we now value at about \$3.6 billion each year.

Given the present cost-price squeeze in our agricultural sector, and given the very modest farm program we passed in the closing days of the first session of this Congress, there is no way that we, as representatives of the people, can sanction unfair trading practices abroad.

Mr. Speaker, I urge all of my colleagues to support this administration's efforts to reduce the trade barriers which are undermining our efforts to improve economic conditions for everyone.●

TO RESTORE HUMAN RIGHTS AND ECONOMIC HEALTH TO NORTHERN IRELAND

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. OTTINGER. Mr. Speaker, today I am cosponsoring H.R. 5163, a bill to provide \$50 million in first-time economic assistance to Northern Ireland. I urge my colleagues to join me in supporting this vital legislation, and I commend the bill's author, my colleague from New York, MARIO BIAGGI, for his continuing leadership in this issue.

H.R. 5163 provides \$50 million in rehabilitation, construction, humanitarian, and other economic and revitalization assistance. The aid would be administered by the Agency for International Development (AID) which would work in consultation with all

entities who have a vested economic interest in Northern Ireland.

This bill conditions the award of any aid to a declaration of intent by the British Government to withdraw their presence from Northern Ireland in a phased and orderly fashion. (If this declaration includes intent to promote reunification of the two Irelands, aid may also be awarded to areas in the Republic which have been economically affected by the conflict in the North.)

I believe this measure represents a positive, innovative approach to the economic devastation which has befallen Northern Ireland as a result of the conflict there. At the same time, it directly addresses the causes of that conflict by providing an incentive for the British Government to withdraw its presence. The bill seeks to restore both human rights and economic health to Northern Ireland.

I am including in today's RECORD a copy of this important legislation, which I commend to the attention of my colleagues:

H.R. 5163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new chapter:

"CHAPTER 11—ECONOMIC RELIEF AND REHABILITATION ASSISTANCE FOR NORTHERN IRELAND

"SEC. 498. AUTHORIZATION AND LIMITATIONS.—(a) The President is authorized to furnish assistance, on such terms and conditions as the President may determine, for use in providing economic relief and rehabilitation—

"(1) for the citizens of Northern Ireland, subject to the requirements of subsections (d) and (e)(1) of this section; and

"(2) for the citizens of the Republic of Ireland, subject to the requirements of subsections (d), (e)(1), and (e)(2) of this section.

Such assistance shall be used solely for humanitarian, rehabilitation, construction, and other economic relief purposes.

"(b) There are authorized to be appropriated to the President to carry out this chapter \$50,000,000. Amounts appropriated under this subsection are authorized to remain available until expended.

"(c) Assistance under this chapter shall be administered by the Administrator of the Agency for International Development, in consultation with an advisory board appointed by the President after consultation with the Congress. The advisory board shall be responsible for overseeing the use of such assistance and for advising the Administrator with respect to who should receive the funds made available under this chapter. Before making its recommendations to the Administrator with respect to the use of such funds, the advisory board shall engage in full and complete consultation with the Government of Great Britain, the Government of the Republic of Ireland, units of local government and elected representatives in Northern Ireland, and all other segments of the community in Northern Ireland. Members of the advisory board shall serve without compensation, but shall be reimbursed for travel expenses, including per

diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code, while engaged in their duties as members of the advisory board.

"(d) Funds made available to carry out this chapter may be obligated only if—

"(1) at least thirty calendar days prior to such obligation, the Administrator of the Agency for International Development submits to the Congress a report which describes how the funds will be used and who will be responsible for dispersing the funds; and

"(2) the Congress does not adopt, within thirty calendar days after receiving such report, a concurrent resolution stating that the Congress objects to the proposed use of funds as described in the report.

"(e)(1) The assistance authorized by this chapter may be furnished only if the Government of Great Britain declares its intention to initiate a phased and orderly withdrawal of the British presence from Northern Ireland.

"(2) If the declaration required by paragraph (1) of this subsection includes a declaration by the Government of Great Britain that it intends to seek or promote a reunification of Northern Ireland with the Republic of Ireland, then assistance may be provided for the citizens of the Republic of Ireland under subsection (a)(2) of this section."●

TERRORISM BILL

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. McDADE. Mr. Speaker, the kidnapping and recent release of Gen. James Dozier has once again made us painfully aware of the plague of terrorism. Terrorist attacks, especially those on diplomats and other government officials, have been increasing rapidly. In 1980 alone, there were 280 terrorist attacks on U.S. embassies, resulting in 10 people being killed and 94 injured. Clearly the security of our diplomats is a serious problem.

There have been far too many Americans participating in international terrorism overseas. The most notorious example of this has been the case of Edmund Wilson and Frank Terpil. Wilson and Terpil have been paid millions of dollars by Libya's tyrant dictator Muammar el-Qadhafi to supply sophisticated weapons and their own expertise to support Libya's campaign of international terrorism. This international terrorist support ring has been active for at least 5 years, with clients such as Idi Amin, the Palestine Liberation Organization, and other international terrorist groups.

Activities of this type are an embarrassment to our Nation. There is a general international expectation that countries will take the appropriate steps to reduce terrorism and prevent its export to other states. We are quick to criticize Cuba, Libya and other nations of exporting terrorism,

yet we are embarrassed when Wilson, Terpil and other Americans participate in the same types of activity. The only difference seems to be that Wilson, Terpil and others are acting for personal gain and not for nationalistic goals.

International terrorism is directed against the existing system of international order. It is a crime against the state, and it is intended to break down the relationships between nations. Terrorists work to create a general feeling of official powerlessness. Just a microscopic percentage of the population can tie up an entire country. This results from the overriding indifference of terrorists to their impact on innocent bystanders. They are motivated solely by money or by political conviction.

Terrorists tend to operate in countries which take a less firm stand against terrorism. I am deeply concerned that this country is becoming vulnerable to terrorist attacks. Although we have developed sophisticated security systems to protect individuals and property, we have not adopted tough laws prohibiting our citizens from hiring themselves out as terrorists. I was shocked to learn that there is no Federal law which prohibits persons such as Edmund Wilson and Frank Terpil from selling their services to foreign governments and terrorist groups. Although these two notorious terrorists have been indicted on various charges, there is no way to indict them for the act of selling their services to Libya.

Today I am introducing a bill which will close this gap in the law. My bill simply makes it unlawful for any citizen to provide arms, ammunition, or related supplies to any group with the likelihood that they will be used for terrorist purposes. Further, the legislation I am introducing will prohibit the financing, planning, training, or other assistance for any act of international terrorism. Violators will be subject to fines and imprisonment.

Enactment of this legislation will further American foreign and domestic policy goals. A large portion of terrorism has an anti-American goal and is intended to subvert activities of the American Government. Terrorist attacks on American embassies and diplomats have reached the level that they are affecting the operations of American personnel overseas. Further, Americans are using the channels of interstate and foreign commerce to provide support for foreign terrorists. Terrorist attacks cause disruption to American commerce by destroying goods and materials and by creating a need for greater security measures to protect the channels of commerce.

Mr. Speaker, Congress needs to take decisive action to show that this Nation does not tolerate its citizens'

participation and support of terrorist activities. Therefore, I urge prompt action on the bill which I am introducing today. ●

ACHIEVEMENTS AND FAILURES OF THE 97TH CONGRESS: AN OVERVIEW

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. BROWN of Ohio. Mr. Speaker, as we look back over the 1st session of the 97th Congress, efforts to balance the budget, cut taxes, and ease our economic problems are major successes which come to the fore.

Over the past 4 weeks, in a letter to my constituents, I outlined these major achievements as well as other substantive legislation my fellow colleagues and I have dealt with over the past year. These reports are included as follows:

ACHIEVEMENTS AND FAILURES OF THE 97TH CONGRESS: AN OVERVIEW

When we look back over the accomplishments of the first session of the 97th Congress, surely the most important one was the action taken to solve the economic problems facing the nation: high interest rates, federal deficits, inflation, low productivity and unemployment.

This grim list of problems was addressed by President Reagan in his tough budget proposals that were translated into action by the 97th Congress. This action holds the promise of long-term economic growth for the nation; steering it back onto the correct course leading to fiscal stability.

President Reagan's campaign commitment to restructure the priorities of the federal government was strengthened by the electoral landslide with which he won the Presidency. His victory must be interpreted as a mandate from the people to gain control of federal spending and to ease the ever-increasing tax burden borne by the American public.

The President's program for economic growth was based on proposals that I helped to develop in the Joint Economic Committee. These proposals emphasized: spending cuts to reduce government borrowing; reduction in the money supply; tax cuts to provide incentives to work, save and invest, and the elimination of costly and excessive regulation.

Reduction in federal spending is essential if the government is to reduce its deficit. Financing of the federal deficit contributes to high interest rates because federal borrowing crowds out private borrowing from the available supply of loanable funds. The law of supply and demand pushes interest rates up.

Growth of the money supply must be curbed if the federal government is to get a handle on inflation. For most of the past decade, the federal government helped to finance the deficit by printing money. This increase in the money supply adversely affected the inflation rate, driving up the prices of a fixed amount of goods.

President Reagan's strong powers of persuasion helped to push tax cuts through the

97th Congress. These cuts, to be phased in over a three-year period, provide incentives to work, save and invest. This is done by increasing the rate of return on investment. In turn, this will add to the amount of loanable funds, lower interest rates, finance capital investment and create employment opportunities.

Finally, the Reagan Administration worked hard to return decision-making to the hands of state and local authorities. This was accomplished through the creation of block grants, which replaced many of the categorical grants. This action helped to reduce the administrative costs of federal programs as well as the associated red tape and regulation. I have long supported the concept of block grants because they allow states and localities to deal more effectively with the unique problems facing them. And who knows how to handle state and local problems better than those closest to them?

The hard times that we are experiencing now were created, in large part, by the misguided policies of past administrations and Congresses. We cannot expect to undo years of mishandling the economy overnight. We must not view the policies enacted by the 97th Congress as a panacea, but rather as a sound program to help the nation regain economic health. Overall, I believe that, given time, the actions of the 97th Congress will help to mend the nation's fiscal ills and set it back onto the road to economic recovery.

The 97th Congress convened last January to hear President Carter's final State of the Union address and to receive his final budget submission.

For fiscal year 1982, President Carter proposed a 12-percent increase, bringing federal spending to \$739 billion. It had been just \$366 billion in 1976, President Ford's last year in office.

Within a matter of weeks, President Reagan took office and proposed significant reductions in the Carter budget for 1982. Congressmen, long accustomed to seeing new Chief Executives conveniently forget their campaign rhetoric after Inauguration Day, were stunned to find that this new leader was not prepared to conduct business as usual.

Many legislators were even more surprised to find that President Reagan, unlike his predecessor, was able to generate the kind of public support for his program that translates directly to congressional cooperation.

In a dramatic vote last spring, even the Democrat-controlled House voted to go along with the Republican majority in the Senate in adopting a budget resolution embodying President Reagan's proposal to cut in half the rate of growth in federal spending suggested by President Carter.

Then, skillfully using a little-known process called reconciliation, President Reagan was able to make the budget targets stick by forcing congressional committees to modify programs under their jurisdiction. It was a sharp break from past practice, which saw budget targets ignored by committees voting to increase their favorite projects.

Unfortunately, before the new austere budget could take effect, economic indicators governed by past budget-busting deficits began to slip out of control. High interest rates and rising unemployment sent projections for the 1982 deficit above acceptable levels.

President Reagan responded with a new round of budget cuts which were met with less enthusiasm by a Congress weary of

paring back favored programs. When Congress sent him a continuing resolution for fiscal 1982 that exceeded his new targets, President Reagan responded with a veto which was quickly upheld.

At the end of this remarkable year, a Congress previously considered incorrigible had given the President \$41 billion of the \$48 billion he proposed in reductions of anticipated spending. Over a three-year period, the cuts amount to \$130 billion of the \$135 billion requested.

Why is it so crucial to bring the federal budget under control and to lower the budget deficit? The answer is obvious when we look at the negative impact that skyrocketing deficits have on the economy. First of all, financing the federal deficit sharply cuts into the amount of loanable funds. With the federal government's increased demand in the credit markets, interest rates are forced up. Secondly, if the federal government helps to finance the deficit through increasing the money supply, as it did through most of the seventies, high inflation rates occur with more money chasing a fixed amount of goods.

Slowly the nation is beginning to feel the positive effects of these budget provisions. It will take time to pull ourselves out of the current recession, but the signs of recovery are clear: The inflation rate has fallen below 10 percent for 1981 and the prime interest rate hovers near 15 percent. Both of these economic indicators continue to fall.

With this, I feel confident that the 1982 budget will be considered a great achievement of the first session of the 97th Congress—an achievement that signaled the end of increasing government involvement in our lives.

The dramatic economic recovery program proposed by President Reagan and enacted by the 97th Congress represents a significant departure from the economic policies which have dominated federal actions for the past 50 years.

The central act which makes this the most revolutionary change in economic policy since Franklin D. Roosevelt's New Deal is the across-the-board cut in personal income tax rates. Other tax cuts in the seventies differed from the Reagan tax cut in two important ways.

First, the earlier tax cuts merely offset part of the effect of bracket creep, a term which describes the phenomenon which forces taxpayers into higher tax brackets as they receive wage increases designed to keep their earnings up with the inflation rate. Typically, taxpayers still paid more taxes even after these cuts. The Reagan tax cut, on the other hand, will result in all taxpayers paying less taxes after it is phased in over three years. After that, an indexing provision will kick in to prevent bracket creep from reoccurring.

Second, the earlier cuts focused predominantly on such gimmicks as rebates and changes in the standard deduction, which gave taxpayers a few additional dollars to spend, but which do nothing to change economic behavior. The Reagan tax cut, by reducing marginal tax rates, will provide incentives which will provide additional work effort, saving and investment. These elements are vital to robust economic growth, which will fuel new job opportunities and rising living standards.

As the ranking Republican on the Joint Economic Committee, I helped forge a bipartisan coalition in 1979 behind the new theories on which the Reagan tax cut was

based. I worked diligently in 1981 to ensure that the Reagan program was enacted.

The fight for passage was a tough one. While the Democratic Congress seemed willing to pass an accelerated depreciation bill to stimulate industrial expansion, an across the board personal tax rate reduction caused more friction.

Opponents argued that upper-income earners would receive more money from the tax cut than would lower-income earners.

The fear of uneven individual tax distribution was unfounded. The across the board tax cut was aimed at reducing the tax burden for all taxpayers by the same percentage. The percentage of the tax burden borne by each major income group was exactly the same before or after the tax rate reduction.

The major difference between the President's tax cut bill and the proposal offered by the House democrats was that the Democratic proposal would provide less tax relief for individuals because it would limit tax relief to two instead of three years, totalling only a 15 percent reduction in individual tax rates instead of a 25 percent reduction.

In another of his stunning Congressional victories in 1981, President Reagan's proposal prevailed. The tax cut will stimulate incentives to work, save and invest by affecting rates of return on capital and labor. The additional private savings will increase economic growth, expand the tax base and increase employment.

New private savings will help increase economic growth by financing private investment. This will mean new job opportunities. It will also mean an expanded tax base which will help lower the deficit. Increased industrial output will place new goods on the shelves which will in turn hold prices down.

Increased private savings is the critical factor. For this reason, I urged President Reagan to concentrate more of the tax cut on the marginal tax rate applied to income from savings and investment. The final version of the tax plan was a modified version of the savings incentive plan I originated in the House. I believe this will help assure strong economic growth in the later years of the tax cut.

It is important to remember that, as revolutionary as these changes are, we must not expect the economy to turn around overnight. However, I have confidence in the new policies we have implemented this year. We can expect a much brighter future, characterized by healthy economic growth, rising living standards for workers and new job opportunities for the unemployed—all in a less inflationary climate.

For those of us who have fought for the principles of limited government, strong foreign policy and the pursuit of world peace through military strength, this session of the 97th Congress has been an unquestionable success.

Following the lead of a powerful and popular president, Congress slashed government spending, cut taxes, increased defense spending and basically sought to bring an overregulated federal bureaucracy under control.

The most successful attempt to curtail federal government intervention was achieved under the reconciliation legislation passed last July. Domestic aid programs in the fields of health, education and social services were transformed into block grants shifting power from the federal government to states and localities. The final bill grouped 19 programs into four block grants replacing existing categorical programs.

I have always supported the concept of block grants because they return decision-making to state and local authorities who are better able to address problems using first hand knowledge.

Congress also proved that it shares President Reagan's belief in American security through military strength by passing a \$200 billion appropriations bill for defense. In addition, Congress approved plans for the production of the MX missile and the B-1 bomber, actions designed to enhance the nation's defense capabilities.

The B-1 bomber is an essential replacement for the aging B-52 in overall strategic planning. The B-1 will correct the arms imbalance with the Soviet Union, tipping the scales in our favor and assuring peace through strength.

The MX missile is another strategic weapon that will strengthen our national arsenal. Both the MX and the B-1 bomber stand as a symbol of support for the president's nuclear arms reduction proposal to the Soviet Union and yet serve as a bargaining point when dealing with Moscow.

Foreign affairs were highlighted as Congress passed the first foreign assistance legislation since 1979. Among its major provisions, U.S. military aid was increased while some contributions to international development banks were spread out to reduce federal spending.

On the domestic front, Congress enacted a comprehensive agriculture re-authorization bill which struck a compromise between agricultural business interests and the Administration's budget restrictions. Although the bill was not particularly popular, the alternative would have been to revert back to an antiquated and expensive permanent farm law which was out of touch with farmers' needs. The final version of the bill continued major price supports, pruned existing support rates for dairy products and maintained previous sugar and peanut programs.

In the energy area, Congress dealt with two major issues that affected Ohioans: the Alaskan pipeline waivers and the takeover of domestic oil companies.

I opposed the Alaskan pipeline waivers requested by the President because they forced consumers to incur the cost of the pipeline construction before its completion, without assurances that the project would ultimately benefit those who had to foot the bill. Over my protests and after considerable debate, Congress approved the waiver package.

I introduced legislation to impose a moratorium on the takeover of medium-sized domestic oil companies by major international oil concerns. The bill was intended to remove the takeover threat of Marathon Oil by the Mobil Corporation and to provide time for the Congress to study the implications of such a takeover. The House approved my bill in an eleventh hour victory before its December adjournment. The legislation will have a chilling affect on all large oil company mergers.

Overall, Ohioans have benefitted from the actions of the first session of the 97th Congress. I hope Congress will continue to follow the President's lead to mend the economy, strengthen foreign policy and defense and return the government to the people. ●

THE SMALL BUSINESS LITMUS PAPER TEST

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. LaFALCE. Mr. Speaker, I want to call your and my colleagues' attention to a fascinating and timely article in the latest issue of Inc. magazine. Inc. is the small business magazine which is edited by Milton D. Stewart, the former Chief Counsel for Advocacy at the Small Business Administration. Over the years, Mr. Stewart has been a vigorous and forward-looking spokesman for small business and the role it can and should play in reinvigorating our Nation's economy. Mr. Stewart is one of the foremost proponents of the Small Business Innovation Development Act (H.R. 4326), the landmark piece of small business and innovation legislation that awaits House action. A companion bill, S. 881, was passed by the Senate last December by a 90-to-0 vote.

H.R. 4326 is an important initiative to reverse the decline of innovation in the United States and the deterioration of our economic base. It would achieve that by tapping the innovative capabilities of the small science and high-technology firms that have been the primary generator of the new ideas and new jobs in our economy. The bill would do that by establishing small business innovation research programs in Federal agencies with large R. & D. budgets. These programs would provide seed money needed to develop high-quality, promising innovative ideas and attract the follow-on private capital essential for commercialization. The SBIR programs would be funded by earmarking a small percentage of the \$40 billion Federal R. & D. budget.

H.R. 4326 is a must legislative item for the small business and high-technology communities. As Mr. Stewart has noted, "This is a small business litmus paper bill." Mr. Stewart's column and editorial in the February issue of Inc. presents the case for the Small Business Innovation Development Act in a thorough and cogent manner. I think Members would agree that it would be difficult to oppose H.R. 4326 after reading these pieces.

Following are Mr. Stewart's articles:

SMALL BUSINESS, CONGRESS, AND A LITMUS PAPER BILL

(By Milton D. Stewart)

Never has the small business community had so clear a chance to serve its country as it has in the new congressional session. The Small Business Innovation Research Act, a bill vital to the nation's future competitive capacity, awaits action by the House of Representatives (see The Buck Stops Here, page 132).

The Senate, voting 90-0, enacted its version of the bill (S. 881) on December 8, 1981. On October 22, 1981, the House Small Business Committee, after years of study, unanimously reported out its version (H.R. 4326) 40-0.

But the bill has now been referred to four additional House committees. The Committees on Science and Technology, Armed Services, Energy and Commerce, and Veterans Affairs have all asked to consider it. Death by delay or dismemberment is often what such wholesale referral means. Is this what Speaker Thomas P. ("Tip") O'Neill and his colleagues in the House Democratic leadership intend with their referral rigmale?

More than 160 of the 435 members of the House have, at this writing, joined in sponsoring the bill. More are joining every day. As noted, both the whole Senate and the House committee with primary jurisdiction have unanimously supported it.

But the bill has its opponents. A small group of bureaucratic zealots, centered largely in the Health and Human Services agencies, fought the bill in the White House.

They lost. The President came out four-square in favor of the Senate version of the bill. In an October 6, 1981, letter to Sen. Warren Rudman (R-N.H.), he predicted that "all sectors of the economy are likely to benefit from the increased competition and research incentives your legislation would provide."

This statement came after the opposition bureaucrats had roused their academic constituents in the universities, hospitals, and medical schools. "You'd better holler now," they urged, "or we're going to lose some of our ability to feed you money." A barrage of hysterical phone calls and letters resulted.

When they lost the White House battle, they turned the heat on the Senate. Not a single senator was swayed by the scare tactics.

The opposition lost the second round.

The third round takes place in the House. There, the opposition faces more than a remarkably large number of representatives coming forward to sponsor the bill. It faces a 3½-year history on the issue. This bill is now a matter of honor and honesty between the Democratic leadership and the small business community.

It's important that the bill reach the House floor when it ordinarily would—by mid-March. Let your representative know now that this is a small business "litmus paper" bill. You can find out whether he or she is already a sponsor from the honor roll on page 131. If you know your representative is a member of one of the four "extra" committees, ask his or her help in speeding favorable action.

The thunderous 90-0 support the bill received in the Senate is precisely what it deserves in the House. Five committees or 50, Mr. Speaker, just get it to the floor by March 15. Then we can see how close to 435-0 we can come.

QUESTIONS AND ANSWERS ON SMALL BUSINESS INNOVATION

1. Why do its supporters call the Small Business Innovation Act "an urgent national need?"

Sen. Warren Rudman (R-N.H.) led a brilliantly successful fight for this bill in the United States Senate. In his words, "the problem, simply stated, is that of the present decline of the United States from its traditional position of prominence in the field of technology advancements."

We're paying for this decline every day in lost jobs and lost markets. One reason for the decline is an imbalance in the support given to the four parts of our national science base. Large-scale research by big companies, big government laboratories, and big universities has been strongly supported. Small business research has not. The small business sector receives only 3½ percent to 4 percent of federal research-and-development money.

We lead the world in basic science and have for many decades. We spend far more on large-scale technology defense and development than the other free-world nations. Relying on us, these nations can—and do—put more of their public and private research budgets into commercial applications. That's one reason they've been clobbering us competitively.

Small business has proven to be our most efficient industrial application innovator; it's also our best and fastest job creator. Government-sponsored studies have shown small firms are between 1.8 and 2.8 times as innovative as large firms per employee. We need to beef up the support small business receives for research, and we need to do it fast.

Many of the aches and pains of our lagging industries go back a long way. The longer we delay, the longer it will take to recover lost ground. This bill charts a safe and sane program for curing the imbalance that has made us vulnerable. And it does so without allocating additional funds.

2. What exactly will the bill do?

Every federal agency that now spends more than \$100 million a year in R&D will have a small business innovation program, modeled on the successful one now run by the National Science Foundation. A tiny share of each agency's budget will be used for the program. The share will very gradually increase over a five-year period. The increase ends when the share reaches 1 percent of the agency's total R&D budget (in the Senate's version of the bill) or 3 percent in the House Committee's version). Small as these percentages are, they could mean as much as \$1 billion to \$3 billion for small firms over the next five years.

Small high-technology firms will compete for grants to do priority research for the government. Simplified procedures will encourage firms to bid. Competition will be open to all small firms, and experts, in and out of government, will impartially review the proposals. Today, many of the very best small companies won't even bother chasing government contracts. The procedure is too complicated; besides, the rules are stacked against small business.

The government will promote research projects that have potential commercial uses. But the small firms will have to be smart enough to figure out how to use them. Obtaining private venture financing will be the job of the small firm.

We know this approach pays off for the taxpayer. Private industry has already spent 4½ times what the government invested in the first National Science Foundation grants. The Department of Defense has begun to use the same procedures.

3. Who is against the bill, and why?

Several universities and medical schools have expressed opposition. A number of career federal-procurement officials have dug in against the bill. They say they're afraid it will take needed funds from basic science. And they're lobbying representatives and congressional committees with whom they have long-standing relationships.

But, supporters point out, the Senate has adopted amendments to assure that the new program will not disproportionately tap that percentage of an agency's budget earmarked for basic research. Another amendment requires a report in two years by the comptroller general on the program's impact on basic research.

There are enough safeguards to satisfy reasonable people legitimately concerned about basic science. But some in the basic science community and in government want to use this bill to cry the blues generally about Reagan Administration budget cuts. Wrong place, wrong time, wrong target.

Of course, we must maintain a proper level of basic research. But our first and most urgent need is for the kind of applied-research program proposed in this bill. Without such a program, there is less and less justification for taxpayer supported, basic-science expenditures. It is irresponsible and grotesque for a community that receives more than \$5.5 billion a year in federal grants to fight this bill.

4. What do the opponents expect to accomplish in the House by having four additional committees chew over the same legislation?

First, they would love to keep the bill from coming to a vote early in the second session of this new congress. They know the odds are overwhelmingly against them in an open vote. If they can stall, debate will have to start all over again next year. Presidential and Senate support may lessen. Small business may get tired.

Second, they can try to load the bill with troublemaking amendments. Four committees are more likely to produce these than one. Maybe they can smuggle a legislative stink bomb into the bill, something the House or Senate or the President can't accept. Again, that might kill the bill for this year. Or maybe they can load the House members in a House-Senate conference committee with opponents, making it impossible for the two houses to agree.

5. Can the opponents of the bill succeed?

The House leaders have the muscle, the votes, and the rules to get the bill through. It will die only under three conditions: (1) if the Speaker and House Democratic leadership connive with the opposition and do nothing, (2) if too many members of Congress either don't know what's going on or think the only folks back home who care are the opponents and their friends, (3) if you and your small business organizations don't speak up. Both your representatives and the House leaders must hear from you. If your representative isn't a sponsor, find out why.

6. Why is this bill a matter of honor and honesty between the House Democratic leadership and the small business community?

I never heard "Tip" O'Neill, Jim Wright, Dick Bolling, or any other House Democratic leader take a sacred oath to bring this bill to the floor by March 15, 1982.

But a Democratic President called a White House Conference on Small Business in January 1980 after a Democratic Congress (including Mr. O'Neill's House) asked him to do so in a piece of legislation. The 1979 version of this bill was introduced in the House by Neil Smith (D-Iowa), then chairman of the House Small Business Committee.

The delegates to the White House Conference voted Mr. Smith's bill—much the same as the present H.R. 4326, introduced by John LaFalce (D-N.Y.)—one of their 15

highest priorities. Very few of these people owned small high-technology firms. But they had come from 57 meetings with more than 25,000 small businesspeople all over the country. They had heard men and women from every kind of industry talk about the problems of overseas technology competition.

Late in 1980, the Speaker named a task force, made up entirely of Democratic representatives, to speed action on the White House Conference recommendations. He chose Neil Smith to chair this task force.

If this five-committee fandango is proof of the House leadership's fairness—OK, if it doesn't last too long. If it is anything else, and this bill doesn't reach the floor early in the second session—well let's just hope in the good name of the nation's oldest surviving political party that it doesn't happen.

7. Why should you care about this bill if your business isn't in high technology? Or if you aren't even a small businessperson?

This bill will benefit the whole country. We are all helped by productivity improvement, by cuts in the cost of capital equipment, by more competitive, cheaper, and better products and processes.

The President and every member of the United States Senate have clearly said the country needs this bill. You and your representative can make it happen now.

EVANSTON HOSPITAL, AETNA, AND "CHOICE": FREE ENTERPRISE MODEL FOR QUALITY, COST-EFFECTIVE HEALTH CARE

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. PORTER. Mr. Speaker, at a time when we are desperately trying to cut back on our costs, one sector of our economy has effectively evaded our control. Health care costs continue to rise at a rate greater than inflation. Recent statistics show that just last year, health care expenditures rose at the highest rate since World War II.

Numerous proposals have been offered to address this problem. Nevertheless, in attempting to come up with a viable solution, we have been faced with a real dilemma: In an area as essential to the well-being of the American people as health care, is it possible to reduce costs without sacrificing the quality of care we have worked so tirelessly to achieve?

I am proud to report that a hospital in my district is involved in a venture that aspires to meet this challenge. Aetna Life & Casualty has chosen Evanston Hospital in Evanston, Ill., to be the first participant in the formation of an innovative employee medical care program called CHOICE.

Unlike prepaid group practice HMO's, CHOICE would provide individuals with freedom to choose their own personal private physician for primary care. Unlike traditional insurance and Blue Cross/Blue Shield, it

would also assure specialty and referral care by physicians and hospitals who are recognized for their excellence. Since at least two-thirds of present claim costs are associated with referral and specialty care, providing these services through specialists and hospitals chosen for their cost effectiveness—such as Evanston Hospital, should cut costs.

In the traditional health care system—the system that has led to drastically high health care costs—physicians who practice wasteful medicine unfortunately are often rewarded with more income. Similarly, hospitals that encourage wasteful physicians derive more income. Responsible physicians and hospitals may well be the ones who actually lose revenue.

Under the proposed CHOICE program, cost-effective clinical decision-making and good hospital utilization review are expected to lead to lower program costs. This should attract more patients who require care and, in turn, mean more revenue to the contracting physicians and hospitals. This concept, along with the strengthened primary care physician role and relationship with a strong emphasis on preventative services, are intended to make CHOICE a program designed for cost effectiveness. It is a model that both Aetna and Evanston Hospital expect and encourage competitors to establish elsewhere.

The proposals at the Federal level which seek to restructure radically the health care system have been largely fostered by the inability or nonexistence of other methods to control cost inflation. While structural changes may well have to be made in order to hold down these costs, it is essential that these changes appear in a free economic model rather than in one that is centrally controlled.

I applaud and am intrigued by Aetna and Evanston Hospital's efforts in this area as a most encouraging step by the private sector toward stimulating competition in health care delivery and financing. Those who believe in free economic choice, look forward to CHOICE's success.●

NEW YORK STUDENT SURVEY TO HIGHLIGHT FINANCIAL AID PROGRAMS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. BIAGGI. Mr. Speaker, without any attention to what the last round of budget cuts has done to college students seeking to finance their education, the Reagan administration is proposing—once again—to cut student assistance programs at massive levels. Today's Washington Post states that

Pell grants are slated to be slashed from \$2.3 billion to \$1.4 billion and guaranteed student loans from \$3 billion to \$2.4 billion.

As a member of the House Education and Labor Committee from New York, a State which represents 10 percent of the national student population, I am deeply concerned about the impact of these cuts without any attention to their effect by sector, by institutional cost, or by student. The New York State Higher Education Services Corporation, which administers the guaranteed student loan program, is conducting a survey on this very issue. For the benefit of my colleagues, I would like to place the testimony of Dr. Dolores Cross, President of the corporation, in the RECORD so that Members might encourage similar efforts in their own States in order to learn just exactly what these budget reductions mean for students and the institutions they attend.

THE STUDENT SURVEY

New York State students receive more financial aid than students in any other state, either per capita or in absolute dollars. The New York State Higher Education Services Corporation administers New York's financial aid and loan programs. Additionally the Corporation coordinates the State's programs with those of other levels of local state and federal government. Thus, the Corporation is deeply involved in New York State's commitment to higher education as a growth and service industry for its citizens.

The State's postsecondary enrollment is about 10 percent of the national enrollment of 11,000,000. The State's students receive about 14-15 percent of the federal financial aid dollar. New York itself will grant almost \$277,000,000 in aid to resident students, representing over 30 percent of the national total for all states. Nearly one quarter of the nation's accredited post secondary institutions are in New York State. And New York's tax levy contribution to public and private higher education is first in the nation.

In sum, the higher education industry is of profound importance to the State—and that importance is most easily measured in terms of enrollments and financial aid to students.

As a result of the unprecedented volume of students and dollars represented by this, the Corporation initiated an ambitious survey to determine how all New York State college students finance their education; that is, how they package personal and external resources to meet their educational costs. At a time when the Federal Government proposes changes in financial aid that will alter the very nature and philosophy of higher education, this survey will enable the State to plan effectively to meet these challenges. To date, New York is the only state to attempt such a survey.

Among the questions to which we hope to find answers are:

How do students from various backgrounds and at various institutions pay their college costs?

How will students be affected by changes in financial aid policies?

Will some students be affected more than others?

How will affected students "react" to changes in financial aid policies?

How can the State move to deal with "pockets" of unmet, present or future financial need among the college-going citizens?

The survey was constructed to randomly sample from the population of all post-secondary students in New York State. It was designed to elicit appropriate financial, demographic and attitudinal data from students, with corroboration from the institutions they attend. A Pilot Test was conducted to refine the process. As a result, the sample selection procedures were simplified to dramatically increase participation. Thus, findings will be well within accepted tolerances.

It must be noted that all other State surveys have used financial aid recipients as the population; that is, they have ignored those who pay their own way from family and personal resources only. This survey will enable the Corporation to compare aid recipients to non aid recipients. Thus, the Corporation will be better able to assess the impact of reduced financial aid on aid recipients.

Preliminary findings from the Pilot indicate that graduate students and enrollees at proprietary institutions, such as nursing and business schools are very concerned about possible financial aid reductions since the major portions of their aid are provided by Guaranteed Student Loans and Pell Grants, both Federal programs.

The Corporation's preliminary analysis anticipates the following aid distributions as percents of total New York enrollment (830,000).

Award type:	Percent
TAP only.....	9
TAP + Pell only.....	27
TAP + Pell + GSL only.....	7
TAP + GSL only.....	3
All GSL (estimate).....	30
All TAP (estimate).....	46
All Pell (estimate).....	32

The Survey will sharpen these distributions to include those students who receive only Guaranteed Loans or Pell Grants (a first), and will analyze these distributions against income levels and types of institutions attended. Thus, the Survey will tell us who in the state may be affected by various Federal program cuts. Moreover that effect can be focused by income level and institutional type. By factoring in student attitudinal data, the Survey may give indications of aid shortfalls and of consequent student behaviors over various income levels and institutional types.

For example, initial data seems to show that while more TAP awards go to the public sector, more TAP dollars go to the private sector college students. Again, upper income private sector students utilize Guaranteed Loans more than lower income public sector students. It also seems that Pell Grants are more utilized at Community Colleges regardless of sector. From another viewpoint, if Pell grants were cut by 50 percent and Guaranteed Student Loans eliminated, the cost in lost financial aid to SUNY operated four-year colleges would be 62 million dollars. Thus, the inter-relation of the various aid types is complex. The Corporation sees the Survey as the crucial instrument to produce a consistent and coherent picture of the impact of financial aid on State higher education.

The Corporation assists both the State of New York and the Federal Government. It believes this data will enable both entities to plan more effectively to meet student fi-

nancial aid needs at the post-secondary level in New York State and the nation.●

FEDERAL GOVERNMENT'S ROYALTY COLLECTIONS

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. MARKEY. Mr. Speaker, there has been during the last few years considerable attention focused on the deplorable condition of royalty collections by the Federal Government. In a recent congressional hearing, the Chairman of the Commission on Fiscal Accountability for the Nation's Energy Resources estimated the loss to the Federal Government to be 13 to 16 percent with 3 to 6 percent due to actual theft. This means a loss of somewhere between \$½ billion to \$1 billion annually, an amount we cannot afford to lose in our current budget situation.

On December 7, 1981, after several hearings and much investigation and study, Mr. SANTINI and I introduced H.R. 5121, a bill designed to improve the Government's track record in collecting royalties. Since much of the money collected is returned to the States, the States have a financial interest as well. Recently the Western States Land Commissioners Association, meeting in Washington, D.C., adopted the following resolution in support of this legislation:

RESOLUTION NO. 3—MINERAL ROYALTY LEGISLATION (HR. 5121)

Whereas, in 1920 Congress determined that the public mineral lands in the western states should be retained and leased rather than transferred to those states and their people; and

Whereas, to compensate for the impact of federal leasing and the state revenue losses from such federal retention of lands, the Congress has determined that 50 percent of the federal revenues from mineral leases or public lands should go to the state from which such revenues originated; and

Whereas, for over 20 years, audits and studies by the Department of the Interior, the General Accounting Office, and Congress have shown serious inefficiencies in the collection of such mineral revenues by the U.S. Geological Survey; and

Whereas, many states with mineral lands have in place, or are developing, efficient systems for the collection and audit of mineral revenues for purposes of state taxation and leasing programs; and

Whereas, payments to the states of their share of mineral royalties is made only twice a year, and often later than the dates set forth in the Mineral Leasing Act; and

Whereas, Representatives Markey and Santini have, after investigation and study, proposed legislation (HR 5121) authorizing states to collect mineral royalties on behalf of the federal government, and to pay the federal share of such revenues biennially to the federal government after deducting costs of administration and the 50 percent due to the states; and

Whereas, the proposed legislation would result in improved efficiencies in the collection of royalties and help redress the imbalances in western states' revenues resulting from the federal retention of the public lands and inefficiencies and delay in royalty collections; now therefore, be it

Resolved, That the Western States Land Commissioners Association approves the Markey-Santini plan, and urge the Secretary of the Interior to support the principles set forth therein.●

MAYOR THOMAS COOKE AND EAST ORANGE'S STRUGGLE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. RODINO. Mr. Speaker, the impact of the Reagan administration's budget cuts certainly will affect, to varying degrees, all local communities in America. A recent article in the Washington Post described in stark contrast the choices facing two communities, one well off and one struggling to survive, as they deal with the massive reductions in Federal assistance. Post reporter Lynn Darling sensitively reveals the trials of Mayor Thomas Cooke of East Orange, N.J., who is a friend and constituent of mine. Tom Cooke is a man of courage and perseverance, who is desperately working to maintain essential services in his city. There are many Tom Cookes in city halls all across America struggling with the effects of Reaganomics, and this article is poignant portrayal of their viewpoint. I recommend it to my colleagues and submit it to be printed in the RECORD as follows:

[From the Washington Post, Jan. 30, 1982]

THE TALES OF TWO CITIES—PURSUING DREAMS IN BEVERLY HILLS; STRUGGLING TO SURVIVE IN EAST ORANGE

(By Lynn Darling)

"We all want a place that fulfills all our dreams. And it's my job to keep Beverly a place where dreams can be fulfilled. It is a continuing struggle to maintain the quality of life."—Mayor Donna Ellman, Beverly Hills, Calif.

"The quality of life? For crying out loud, we're just trying to survive."—Mayor Thomas H. Cooke, Jr., East Orange, N.J.

It was the annual midwinter conference of the U.S. Conference of Mayors, two days of meetings and workshops at the L'Enfant Plaza Hotel, where the participants discussed everything from "Public/Private Partnerships" in the Degas Salon to "Tax Policy and Leasing" in the Monet Room. This year the big subjects were the New Federalism and the prospect of more budget cuts, and yesterday the conference president expressed the prevailing opinion. "The president's State of the Union address on Tuesday night did not include the current state of the cities," said Mayor Helen Boosalis of Lincoln, Neb., at a press conference. Reagan's long-term approach to problem-solving, she said, "failed to address the problems that mayors must face today."

Still, the problems vary, and they don't conjugate the urban verb the same way in Beverly Hills as they do in East Orange. The question of what is important finds different answers depending on whether the constituents are worrying about losing a job or finding a good gardener. Yet, the notion that a community celebrated for its affluence is somehow without problems is one that annoys the mayor of Beverly Hills.

"Despite its great social image, Beverly is really a microcosm of the rest of the country," says Donna Ellman, 56, of her town of 32,000 nesting on 5½ square miles in the middle of Los Angeles. "We're just trying to maintain ourselves as a low-profile, small-town residential area in the heart of a big metropolis. There's such a great deal of pressure from the outside world wanting to move in. I like to think of Beverly as an anachronistic Camelot surrounded by a world of Clockwork Orange. We're trying to maintain a heavenly, idyllic place in a world that is constantly trying to impinge on it."

It is not that Ellman is oblivious to the differences between Beverly Hills and the real world. With a \$40 million operating budget and an investment portfolio which yields between \$9 million and \$10 million, Ellman likes to describe the city's financial situation as one of "transient solvency," pointing out that \$10 million is hardly going to buy Beverly Hills the new police and fire stations it needs. Still, Ellman recognizes that solvency is a word most mayors would have to look up in a dictionary these days.

"We are different from other cities," she says. While other cities are actively seeking foreign investments and banks and that sort of thing, "we try to selectively accept." Banks, for instance, often try to come into the city, according to Ellman, but often there's "no sense of loyalty, no appreciation of us as a community. All they want is the address."

One begins to understand. Forget the mansions, the Mercedes Benzes, the swimming pools, forget for that matter, Rodeo Drive and the Rolls-Royces double-parked in front of stores that will take your money by appointment only—Beverly Hills is not just another pretty place.

Ellman, whose brisk efficiency and easy smile collide with the image of languid luxury so often associated with Beverly Hills, likes her town best on Sundays, when the stores are closed and the tourists are gone "and the streets are quiet and the Little League games are going and the parents are walking their kids in strollers. It's little America, it really is."

OTHER SIDE OF THE TRACKS

East Orange, N.J.: Population, 90,000. Twelve miles from New York City, next door to Newark, a bedroom community with a budget that is currently about \$3 million over the amount the state legislature says it can legally spend. Mayor Thomas Cooke, a former high school teacher with close-cropped graying hair and an air of grim determination, figures that this year East Orange has lost over half a million in revenue-sharing funds, about the same in block grants, and over a million in CETA funds. Meanwhile it picked up about 1,500 more welfare recipients after they were dropped from the federal rolls, and the unemployment continues to rise. "Problems?" says the mayor of East Orange. "Yeah, you could say we've got some problems."

The cost of school lunches had to go up. So did the cost of public transportation. More than 200 city workers will have to be laid off. For the first time, the layoffs may

have to include public safety employees. The emergency fund for residents too poor to pay for heat and hot water is nearly gone, and it isn't even February.

Young couples are losing their first homes, unable to meet the payments. The real property taxes on which the city depends for its revenues have already been stretched to the limit. "How much can you tax people?" asks the mayor of East Orange. "For crying out loud," he says. He says that a lot.

LITTLE AMERICA'S PROBLEMS

There are also problems in little America. Commercial rents in the city are sky high and while it's no problem finding a fur-trimmed anything in Beverly Hills, Ellman says it's getting increasingly difficult to find a decent dry-cleaner or cobbler, or any of the other mundane businesses that can't pay the kinds of rents that stores which cater to gilded fantasies can afford.

But although there are, without question, what Ellman calls "the Gucci-ites" inhabiting Beverly Hills, the idle rich who "run from beauty shop to beauty shop and massage to massage," there are also celebrities who care.

People like Monty Hall, for instance—"whenever you need him, he's there"—and Doris Day—"she used to live up the street and she was an absolute collector of stray dogs, you always knew where to look if one was lost"—and Debbie Reynolds—"she was a Girl Scout leader, and no matter what she was doing, she was always back for her meetings." The spirit of volunteerism is not dead, says Ellman. "I would guess that more money is raised out of Beverly Hills than anywhere else in the country. We're really pushovers for charitable causes."

THE NEW FEDERALISM

The mayor of East Orange says he has tried to make ends meet. In his first term, he went after the delinquent taxes owed by the big businesses in town by threatening foreclosure. He tried to cut down on the number of public employees. He says he has even tried to take the president's advice on volunteerism and the private sector. He tried to get volunteers for an auxiliary police force but only 12 people offered to help. He doesn't blame those who didn't volunteer. Most of them, he says, are looking for paying jobs. What about contributions from the business community? The mayor just laughs. "You're kidding."

Cooke is not pleased with the solution that the Reagan administration has proposed for his problems. "I'm very warm, you're perfectly right. This whole thing on federalism is based on the idea that the states will deliver to the cities. Let me tell you about states' legislatures. For crying out loud, what makes them think that the urban areas are going to get a fair shake from the rural areas and the sprawling suburban areas that dominate the legislatures?"

"You just get fed up to here," he says, the anger simmering in his voice. "We're the people on the firing line. Whatever the effect is, whether it's a cutback or an elimination of a service, it's not the president who did it, it's the mayor who did it. The mayor," says Thomas Cooke. "Me."

"You tell me where the justice is," says the mayor. "People think welfare is the biggest rip-off, but they're not the ones who are against farm subsidies or subsidies for corporations. They complain about a measly \$3,000 per pupil education cost, and then they're willing to spend \$10,000 to \$20,000

keeping a person incarcerated. Tell me where the justice is in that."

It is not, the mayor says, that he is insensitive to what the president is trying to do. "We're all sympathetic to the need to cut back government spending and cut through the government regulations that affect service delivery. But it is inhuman to tell the people to freeze to death now and starve to death now and that it will all be justified in 1991."

Ellman, though, a Democrat like Cooke, thinks the president's plan is "interesting as long as it's phased in properly." She thinks cities will have to get increased taxing authority to go along with the increased responsibility for social services.

The mayor of Beverly Hills will soon be passing these troubles on to someone else. Her term ends in April, and she has decided not to run for the City Council again. It is time now, she says, to devote herself to more personal goals. Ellman has lived in Beverly Hills for the last 25 years, having come to California from Chicago. "I always dreamed of living there," she said. "It was something to aspire to, like something in a Horatio Alger story. If there weren't a Beverly Hills, we would have to invent one."

Last fall, the mayor of East Orange won a second term. He is asked about the future. "What do I think is going to happen?" says Thomas Cooke, sitting ramrod-straight in his black, three-piece suit and staring ahead. "I've given a lot of thought to that." He looks down for a moment, then looks up. "What with the number of people who want to work and who can't work, and the escalating crime wave," he says, "the only thing I foresee is insurrection in the streets." ●

REAGAN ADMINISTRATION DISMANTLING ENVIRONMENTAL PROTECTION EFFORT

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. NEAL. Mr. Speaker, despite overwhelming support by the American public for continued Federal protection of the environment, the administration has been systematically destroying the one agency charged with that responsibility. The Environmental Protection Agency under Ms. Anne Gorsuch is not being trimmed for the sake of efficiency, but, as former administrator of EPA under two Republican administrations, Russell E. Train, documents in a column, which appeared in the February 2, 1982, Washington Post, it is being dismantled. At the current rate of dismemberment, according to Mr. Train, the agency will soon be unable to respond to future Love Canals and other industrial mishaps that threaten human life and commerce. Nor will it be able to effectively administer the many programs still on the books, according to Train, who is apparently horrified and bewildered by the course the administration he supported is taking.

Mr. Speaker, I hope that Mr. Train's credentials will allow my colleagues on both sides of the aisle to fully consider how misguided is the administration's policy on protecting the environment, and take action during consideration of the budget to reverse that policy. The column by Mr. Train follows:

[From the Washington Post, Feb. 2, 1982]

THE DESTRUCTION OF EPA

(By Russell E. Train)

The Environmental Protection Agency is rapidly being destroyed as an effective institution in the federal government. Current and planned budget and personnel cuts, if continued, will inevitably reduce the agency to a state of ineffectualness and demoralization from which it is unlikely to recover for at least 10 years, if ever. While some may greet this situation with enthusiasm, I am convinced that the business community, among others, has very little to gain and a great deal to lose.

I see EPA's mission as a critically important one. I am convinced that, in the long run, our free enterprise system can only prosper and grow within the context of adequately protected public health and environment. I am also convinced that responsible business leadership knows this and asks only that regulatory requirements be reasonable, cost-effective, have an adequate scientific basis, and be fairly and uniformly enforced.

Corrected for inflation since 1981, President Reagan's expected 1983 budget request for EPA will represent a reduction of approximately 45 percent. Administrator Anne Gorsuch has reportedly been working on 1984 numbers of \$700 million, or a cut of 61 percent. EPA's research branch would be cut by two-thirds, far more than any other basic research program.

In the personnel area, the cuts are equally drastic. If Gorsuch is allowed to carry out plans that have been circulating within the agency for some time, by this coming June—one year and four months after the Reagan administration took office—80 percent of EPA's headquarters staff will have quit or been fired, demoted or downgraded.

It is hard to imagine any business manager consciously undertaking such a personnel policy unless its purpose was to destroy the enterprise. Predictably, the result at EPA has been and will continue to be demoralization and institutional paralysis. Attrition within the agency is running at an extraordinary 2.7 percent per month or 32 percent a year.

From an administration that quite rightly emphasizes the need for good management, what we are seeing at EPA is its very antithesis. Permits that businesses need do not get issued. Required rules and regulations do not get promulgated. Enforcement has ground practically to a halt. The most competent, technically proficient, professional staff have either already left or are looking for jobs. If one believes that effective environmental protection is essential it is tragic. If one is not necessarily an environmentalist but believes that our environmental programs need to be managed efficiently, scientifically and less burdensomely, the current situation is equally disastrous.

Congress and the courts will effectively impede the ability of the administrator to bring about substantial change by administrative action alone. But they will provoke an upsurge in lawsuits and more decision-making by confrontation. While adversarial

approaches to conflict resolution seem to be deeply ingrained in American society, there have been encouraging signs lately of growing appreciation of economic realities within the environmental community and a greater environmental sensitivity on the part of the business community. A return to the early days of polarization benefits no one.

Many of EPA's difficulties over the years can be traced to the fact that Congress loaded the agency with far more statutory responsibilities within a brief period of time than perhaps any agency could effectively perform. Surely, those problems can only be compounded by drastically reducing its resources while its responsibilities remain the same or grow. When EPA came into being in 1970, it took over the air pollution, water pollution, solid waste, pesticide and radiation programs scattered around the federal government. Since then those programs have been broadened and improved, and Congress has added major new responsibilities—including the Toxic Substances Act, the Safe Drinking Water Act, the Noise Control Act, the hazardous waste control program and Superfund. These are not hangovers from the concerns of prior generations. EPA has been on the frontier of today's concerns, and there is every indication in the polls that environmental protection remains high on the public agenda.

Environmental protection needs are not going to lessen if EPA becomes ineffectual. The kepone problems and the Love Canals will continue to crop up from time to time. Unless the public has reasonable confidence in the public institutions charged with responsibility for handling such problems, there is real danger of a backlash developing against business. The pendulum will swing once more and in even more violent oscillations. EPA will be forced to react and will do so without adequate staffing and with a reduced research base. Business needs greater stability and predictability of policy, and for that it needs a credible EPA. The tendency of our political system to ignore the need for reasonable continuity in institutions and policies is one of its most serious failings.

As one who served two Republican administrations from 1969 to 1977 and who voted for President Reagan, I must record my profound concern over what is happening at EPA today. The budget and personnel cuts, unless reversed, will destroy the agency as an effective institution for many years to come. Environmental protection statutes may remain in full force on the books, but the agency charged with their implementation will be a paper tiger. ●

A PUBLIC OPINION SURVEY

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mrs. SCHROEDER. Mr. Speaker, this Sunday's Denver Post contained a public opinion survey taken in early January in the Denver metropolitan area. There were some surprising results.

Incumbent Democratic Gov. Richard Lamm was judged good/excellent by 59 percent of the people polled. Even in the rating among Republican respondents Lamm was judged more fa-

vorable than Republican Senator WILLIAM ARMSTRONG.

The question, has Reaganomics helped or hurt, produced a surprising answer, considering that Colorado has been relatively sheltered from the full force of the Reagan recession: A total of 82 percent said either they have felt no effect or have been hurt. Only 18 percent answered that Reaganomics has helped them.

[From the Denver (Colo.) Post, Jan. 31, 1982]

LAMM ENJOYS BIPARTISAN SUPPORT

(By Sharon Sherman)

Gov. Dick Lamm is doing a good job of running the state, in the opinion of 58.7 percent of the people in five Denver metropolitan area counties who were questioned in a poll conducted for The Denver Post.

Lamm came in well ahead of both of the state's senators in the job performance rating, which was one of the questions in a telephone survey conducted by the Denver Consulting Group during early January.

The governor, a Democrat, even was slightly ahead of U.S. Sen. Bill Armstrong, R-Colo., in the rating of his job performance by Republicans.

U.S. Sen. Gary Hart, D-Colo., was behind Lamm in the overall ratings but ahead of Armstrong.

The survey of 500 people was taken in Denver, Jefferson, Boulder, Arapahoe and Adams counties in such a manner, pollsters said, that its results could be interpreted as accurately reflecting the views of all the people in those counties.

One surprising result was the high number of people—nearly 30 percent of those questioned—who said they didn't know what kind of job was being done by Armstrong, Colorado's junior senator for the last three years.

The overall ratings of the three elected officials were:

	Percent of those polled		
	Lamm	Hart	Armstrong
Opinion:			
Excellent	13.0	11.6	5.2
Good	45.7	30.6	27.8
Fair	27.9	28.6	30.2
Poor	7.8	12.8	7.2
Do not know	5.6	16.4	29.6

Lamm generally did best in the ratings from those between the ages of 35 and 64, those who have lived in Colorado longest and those who either hold top-level white collar jobs or do not work at all.

The governor fared better in Arapahoe, Boulder and Jefferson counties than in Adams and Denver.

Lamm, a Democrat, was rated good to excellent by a higher percentage of those in his own party—65.1 percent—than by Republicans—58.8 percent. But his good to excellent rating among Republicans was a percentage point higher than Armstrong's.

Unaffiliated voters fell between the two, with 59.1 percent calling Lamm good to excellent at his job.

Hart was favored more by females than males, by those with a higher level of education, and by those who had lived in Colorado from 5 to 25 years. He did best with the age groups of 55-64 and 25-44 and was rated

higher by those who either worked at white collar jobs or weren't working, than with those holding blue collar jobs.

Democrats and unaffiliated voters gave Hart the highest ratings, with 61.2 percent of his Democratic colleagues and 45.5 percent of the independents saying he was doing a good to excellent job, while 32.8 percent of the area's Republicans put him in the top performance categories.

Armstrong was rated best by those who were married or in the divorced/separated category, those in the 45 to 64 age groups, people in high-level white collar jobs, and those who have lived in Colorado 5-10 years or more than 25 years.

His performance was called good to excellent most often by those in higher income groups and people living in Jefferson, Arapahoe and Adams counties.

Armstrong did a little less well among his own Republican Party than did Lamm. About 57.9 percent of Republicans rated his job performance good to excellent, while he was given that designation by 29.1 percent of the Democrats and 25.6 percent of unaffiliated voters.

Asked their opinion of whether the political and social climate in Colorado had become more conservative or more liberal, a majority saw the state as moving to the right of the political spectrum.

Of those polled, 51 percent said it was more conservative, 27.1 percent said more liberal, 4.2 said neither, and 17.7 percent didn't know.

About the same number of Democrats and Republicans expressed the view that the state was moving toward conservatism, while a few more Democrats and unaffiliated voters than Republicans believe Colorado is becoming more liberal.

REAGAN RECEIVES HIGH POLL RATING

(By Sharon Sherman)

About half the people in five counties in the Denver metropolitan area think President Reagan is doing a good to excellent job, they said in a recent poll.

But when they were asked whether the President's economic program had helped or hurt them, a majority of those questioned said the program has had "no effect," while 29 percent said they have been hurt.

The President's rating looked like this:

Opinion:	Percent of those polled
Excellent	12.8
Good	37.6
Fair	31.0
Poor	17.0
Don't know	1.6

Reagan received better ratings from men than from women, from married people than from single people and from those with the highest level education, jobs and incomes.

He was given his best ratings by the 35-44 age group.

The responses to the question about whether Reaganomics has helped or hurt followed a similar trend, with the better educated and those with higher paying jobs saying they had benefited.

Most of those saying they were hurt were in the 45-64 age group, were blue collar workers or those without jobs and were spread evenly among the five counties.

The poll results looked like this:

Opinion:	Percent of those polled
Helped	18
Hurt	29

No effect..... 53

Results of both the job performance and economic policy questions broke along party lines when the respondents were asked their party affiliation.

About 80.6 percent of Republicans called Reagan's performance good to excellent. That was almost twice the 42.1 percent of unaffiliated voters giving him those ratings and far higher than the 28.1 percent of the Democrats who like the president's work.

Those who said they were helped by the Reagan economic policies included 13.7 percent of the Democrats responding, 28.6 percent of the Republicans and 12.5 percent of the unaffiliated voters.

Those saying they have been hurt were 50 percent of the Democrats questioned, 12.6 percent of the Republicans and 29.2 percent of the unaffiliated voters. In answer to the question of what things they and their families were doing to cope with the increased cost of living, 26.7 percent of those answering the poll said they were trying to conserve energy while 21.8 percent said they had tightened their family budgets. About 16 percent said they go out less often and nearly 12 percent said they drive less.

POLLSTERS CONTACTED 500 ADULTS BY PHONE

Metropoll measured the opinion of 500 adults who live in the greater Denver area.

The telephone survey, sponsored by The Denver Post, was conducted by The Denver Consulting Group as a part of Metropoll, a quarterly survey of public attitudes toward political figures and issues.

A random digit telephone technique was used to select homes in Denver, Adams, Arapahoe, Boulder and Jefferson counties. One adult, age 18 or older, was interviewed in each household.

Interviews were conducted from January 6 through 18, 1982, excluding Sundays.

Any survey is a sample of the population. Even with a sample of only 500, a scientific survey such as Metropoll accurately reflects the attitudes and composition of the Denver market within 4.5 percent. Thus, if 50 percent of the people surveyed answered "yes" to a particular question, the true value in the population would be between 45.5 percent and 54.5 percent. ●

PROTECTING OLDER AMERICANS AGAINST OVERPAYMENT OF INCOME TAXES

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. OTTINGER. Mr. Speaker, the Senate Special Committee on Aging with the help of the IRS has prepared a summary of income tax deductions most often missed by older taxpayers. Several changes are reflected in 1981 tax returns. To help assure that older Americans take advantage of the legal tax reduction provisions available to them, I am inserting this important information into the CONGRESSIONAL RECORD:

CHECKLIST OF ITEMIZED DEDUCTIONS FOR SCHEDULE A (FORM 1040)

MEDICAL AND DENTAL EXPENSES

Medical and dental expenses are payments you make for the diagnosis, cure, relief,

treatment, or prevention of disease. They also include payments for treatment affecting any part or function of the body. Expenses for transportation for needed medical care are included in medical expenses. Payments for insurance that provides medical care for you, your spouse, and dependents are included in medical expenses. Unreimbursed expenses are deductible to the extent they are more than 3 percent of your adjusted gross income (line 31, Form 1040). Expenses may be deducted only in the year you paid them. If you charge medical expenses on your credit card, the expenses are deducted in the year the charge is made regardless of when the bill is paid.

Insurance premiums

One-half of medical, hospital, or health insurance premiums are deductible (up to \$150) without regard to the 3 percent limitation for other medical expenses. The remainder of these premiums can be deducted subject to the 3 percent rule.

Drugs and medicines

Medicines and drugs legally obtained and generally recognized as medicines and drugs are deductible. They do not have to be prescribed. These items are included in medical expenses (subject to the 3 percent rule) but only to the extent they exceed 1 percent of adjusted gross income (line 31, Form 1040).

Examples of unreimbursed medical and dental expenses

You can deduct the costs of:

Medicine, drugs, vaccines, and vitamins your doctor recommends.

Doctors, surgeons, dentists, eye doctors, gynecologists, chiropractors, osteopaths, podiatrists, chiropodists, psychiatrists, psychologists, physical therapists, acupuncturists, Christian Science practitioners, and psychoanalysts.

Medical examination, X-rays and laboratory services, insulin treatments, and whirlpool baths the doctor orders.

Nursing help. However, if you pay some one to do both nursing and housework, you can deduct only the cost of the nursing help.

Hospital care (including meals and lodging), clinic costs, lab fees.

Medical treatment at a center for drug addicts or alcoholics.

Medical aids such as hearing aids (and batteries), false teeth, eyeglasses, contact lenses, braces, orthopedic shoes, crutches, wheelchairs, guide dogs and the cost of maintaining them if you are blind or deaf.

Ambulance service and other travel costs to get medical care. If you used your own car, you can claim what you spent for gas and oil to go to and from the place you received medical care, or you can claim 9 cents a mile. Add parking fees and tolls to the amount you claim under either method.

Cosmetic surgery.

Cost and repair of special telephone equipment for the deaf.

Capital expenditures for medical purposes, such as air conditioning or elevators. If these expenses are for permanent improvements that increase the value of the property, you may include them as medical expenses only to the extent that they are more than the increase in the value of the property.

Cost of a nursing home (including meals and lodging) if the availability of medical care is a principal reason for being in the nursing home.

Medical care included in the "life-care fee" or "founders fee" of a retirement home

which is paid monthly or as a lump sum under an agreement with the home. The deductible amount must be set apart for medical care.

Cost of special equipment, such as a motorized wheelchair or autoette, special hand controls and other special equipment installed in a car specifically for the use of a physically handicapped person.

TAXES

Real estate; general sales; State, local, or foreign income; personal property

If the sales tax tables are used in arriving at your deduction, generally the only additional sales taxes you may add to the table amount are those you paid to purchase the following items: Automobiles, trucks, motorcycles, airplanes, boats, mobile homes, and material used to build a new home if the sales tax on the materials is imposed on you.

When using the sales tax tables, add to your adjusted gross income any nontaxable income such as social security, veterans and railroad retirement benefits, workmen's compensation, untaxed part of long-term capital gains, interest and dividend untaxed under the exclusion, interest on municipal bonds, untaxed part of unemployment compensation and public assistance.

INTEREST

Personal loan; home mortgage; auto loan; loans on life insurance; installment purchases

Bank and Other General Purposes Credit Cards

Deduct the finance charge added to your monthly statement if no part of the charge was for investigation fees, membership fees, loan fees, service charge, or similar charges.

Points

When buying a residence, "points" are interest paid in advance. You may deduct the amount you pay as points in the year of the payment—if the loan is used to buy or improve your principal residence and is secured by that residence. In addition, the payment of points must be an established business practice in the area where the loan was made, and the points must not exceed the number generally charged in this area.

If the residence you purchase is not your principal residence, you may not deduct the full amount for points in the year paid. Instead, the prepaid interest paid as points must be spread over the life of the mortgage, and it is considered "paid" and is deductible over that period.

Points are not deductible if they represent charges for services rendered by the lending institution (e.g., VA or FHA points are not deductible as interest). Also, points are not deductible if paid by the seller. These are selling expenses that reduce the amount realized.

Penalty for Prepayment of a Mortgage

This is deductible as interest.

Revolving Charge Accounts

These finance charges may be deducted if separately stated on your bill.

CONTRIBUTIONS

In general, contributions to religious, charitable, educational, scientific, or literary organizations may be deducted up to 50 percent of your adjusted gross income (line 31, Form 1040). Contributions to certain private nonoperating foundations, veterans organizations, fraternal societies, or nonprofit cemetery companies are limited to 20 percent of adjusted gross income (line 31, Form 1040). There is a limit of 30 percent of adjusted gross income for contributions of cer-

tain capital gain property. Special rules also apply to contributions of appreciated property. To deduct your contributions, you must make them in cash or other property before the close of your tax year. Other property (clothing, books, furniture, etc.) is deducted at the fair market value. You may deduct contributions you charge to your bank credit card in the year the charge is made.

Examples of other charitable contributions include:

The cost and upkeep of uniforms that you must wear while performing charitable activities.

Out-of-pocket expenses (postage, phone calls, stationery) while providing services without pay to a charitable organization.

Payment of more than the fair market value to an organization for goods, merchandise, services, banquets, shows, sporting events, etc.

You may also deduct unreimbursed out-of-pocket expenses directly related to services you give to a charitable organization, such as gas and oil for your car. If you want to deduct actual expenses, you may use a standard rate of 9 cents a mile. In either case you may deduct parking fees and tolls.

CASUALTY OR THEFT LOSSES

You may deduct casualty losses, such as tornado, flood, storm, fire, auto accident (provided not caused by a willful act or willful negligence), or theft losses. The amount of your casualty loss deduction is generally the lesser of (1) the decrease in fair market value of the property as a result of the casualty, or (2) your adjusted basis in the property. This amount must be further reduced by any insurance or other recovery, and, in the case of property held for personal use, by the \$100 limitation. Report your casualty or theft loss on Schedule A. If more than one item was involved in a single casualty or theft, or if you had more than one casualty or theft during the year, use Form 4684 for computing your personal casualty loss.

MISCELLANEOUS DEDUCTIONS

In addition to the other itemized deductions, you may deduct certain miscellaneous expenses on Schedule A, Form 1040. A list of the most common expenses follows. For more information, see Publication 529, Miscellaneous Deductions.

Educational expenses

Amounts you paid for education that is: (1) Required by your employer to maintain your position, or (2) for maintaining or improving skills you must have in your present position.

Business use of your home

You can deduct expenses for business use of part of your home only if you use that part exclusively and continuously in your work and for the convenience of your employer.

Employee expenses

Examples of expenses you can deduct if you were not reimbursed for them are:

Union dues.
Safety equipment, small tools, and supplies you need for your job.

Protective clothing, such as hard hats and safety shoes.

Uniforms required by your employer which you cannot usually wear away from work.

Maintenance of uniforms required by your employer.

Costs of bond, if required for employment.

Physical examinations required by your employer.

Dues to professional organizations and chambers of commerce.

Fees to employment agencies and other costs to get a new job in your present trade or profession.

Expenses of producing income

You can deduct what you paid to produce or collect taxable income or to manage or protect property held for producing income.

Examples of these expenses are:

Tax return preparation fees.

Safe deposit box rental.

Custodial (e.g., trust accounts) fees.

Fees paid to investment counselors.

Fees to collect interest or dividends.

Gambling losses, but not more than gambling winnings.

CREDITS

Tax credits are used to reduce the amount of tax you owe. All credits must be taken on Form 1040, with the exception of the credit for contributions to candidates for public office and the earned income credit.

The most common credits are:

Credit for the elderly

You may be able to claim this credit and reduce taxes by as much as \$375 (if single) or \$562.50 (if married filing jointly) if you are: (1) Age 65 or over, or (2) under age 65 and retired under a public retirement system.

For more information see the instructions for Schedule R & RP.

Earned income credit

If you have a dependent child who shares your principal residence in the United States, you may be entitled to a special payment or credit of up to \$500. This is called the earned income credit. It may come as a refund check or be applied against any taxes owed. Generally, if you reported earned income and had adjusted gross income (line 32a, Form 1040 or line 10, Form 1040A) of less than \$10,000, you may be able to claim the credit.

Earned income means wages, salaries, tips, strike benefits, other employee compensation, disability pensions, and net earnings from self-employment (generally the amount shown on Schedule SE (Form 1040) line 13). A married couple must file a joint return to be eligible for the credit. Certain married persons living apart with a dependent child may also be eligible to claim the credit.

For more information, see instructions for Form 1040 or 1040A.

Credit for child and dependent care expenses

A portion of certain payments made for child and dependent care may be claimed as a credit against tax.

If you maintained a household that included your dependent under age 15 or a dependent or spouse incapable of self-care, you may be allowed a 20 percent credit for employment related child and dependent care expenses. These expenses must have been paid during the taxable year in order to enable you to work either full or part time.

The maximum amount of the credit is \$400 for one qualifying individual and \$800 for two or more qualifying individuals.

See Form 2441 for more information, including a special rule for divorced or separated taxpayers.

RESIDENTIAL ENERGY CREDIT

The residential energy credit was designed to encourage energy saving and the development of renewable energy sources. There are two energy credits, each with its own

conditions and limits. These credits are based on: (1) Costs for home energy conservation, and (2) costs for renewable energy source property.

A credit of up to \$300 may be claimed for expenditures for energy conservation property installed in or on your principal residence, whether you own or rent it. The residence must have been substantially completed by April 20, 1977. Items eligible for the credit are limited to the following: Insulation (fiberglass, cellulose, etc.) for ceilings, walls, floors, roofs, water heaters, etc.; exterior storm (or thermal) windows or doors; caulking or weatherstripping for exterior windows or doors; a furnace replacement burner that reduces the amount of fuel used; a device to make fuel openings (for a heating system) more efficient; an electrical or mechanical furnace ignition system that replaces a gas pilot light; an automatic energy-saving setback thermostat; and a meter that displays the cost of energy usage.

For years beginning after 1979, the maximum credit for renewable energy source property is \$4,000. Equipment used in the production or distribution of heat or electricity from solar, geothermal, or wind energy sources for residential heating, cooling, or other purposes may qualify for this credit.

Examples of items which do not qualify for energy credit are the following: Carpeting, drapes, awnings, shades, wood paneling, fire screens, new or replacement walls (except for insulation inside the walls), exterior siding, heat pump, wood or peat burning stoves, fluorescent lights, hydrogen fueled residential equipment, equipment using wind energy for transportation, expenditures for a swimming pool used as an energy storage medium, and greenhouses.

For further information, consult the instructions for Form 5695, "Residential Energy Credits," and IRS Publication 903, Energy Credits for Individuals.

SALE OF YOUR PERSONAL RESIDENCE

You may exclude from your gross income some or all of your gain from the sale or exchange of your principal residence, if you meet certain age, ownership, and occupancy requirements at the time of the sale or exchange. If you were age 55 or older on the date of sale or exchange you may elect to exclude up to \$100,000 of gain provided you owned and occupied the residence for 3 of the 5 years ending on the date of sale (or 5 of 8 years if you were 65 or older on the date of the sale or exchange and the sale took place before July 26, 1981). For sales or exchanges after July 20, 1981, the excludable amount is increased to \$125,000.

In addition, payment of the tax on the gain from the sale or exchange of your personal residence in excess of the excluded amount will be deferred if, within 18 months before or 18 months after the sale or exchange, you buy and occupy another residence, the cost of which equals or exceeds the adjusted sales price of the old residence. For sales or exchanges after July 20, 1981, the replacement period is extended to 2 years before and after the sale. This 2-year period also applies to sales and exchanges of principal residences before July 20, 1981, if the replacement period expires after that date.

Taxable gains from the sale of your residence should be reported on Schedule D, line 2a or 9a. Losses from such a sale are not deductible. Form 2119, Sale or Exchange of Principal Residence, is used to report the

sale of your principal residence whether or not you bought another one.

Publication 523, Tax Information on Selling Your Home, is available at most IRS offices.●

THE CATHOLIC CHURCH ON: WAR, WEAPONS, AND MILITARY SERVICE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. McDONALD. Mr. Speaker, I should state at the outset of this entry for my colleagues, that I do not profess the Catholic faith. However, there has been some consternation among many of my Catholic friends, with regard to the true position of the Catholic Church on the matter of military service, and yes, even the matter of nuclear weapons.

Ironically, on December 7, 1981, the anniversary of Pearl Harbor, the Military Vicar of the Catholic Church, His Eminence, Terence Cardinal Cooke, of New York, wrote in no uncertain terms, on the subject: of military service, of the use of nuclear weapons, and of the absolute necessity of defense against unjust aggression. Cardinal Cooke does not preach situation ethics. The same principles apply today against the international socialism of the Soviet Union, Communist China, and all her allies behind the Iron and Bamboo Curtains, as it did against the national socialism of Adolph Hitler. Perhaps it is no accident that Cardinal Cooke reiterated the traditional stand of the Catholic Church on such matters, on the anniversary of that heinous act, that would commit the American soldier to war and eventual victory over the forces of fascism.

I have always known that the stand of the Catholic Church with regard to communism has been that there can be no collaboration with such satanic evil in any manner whatsoever. In these days of very questionable activity of some Catholic clergy, in support of Marxist terrorism, it is a welcome blessing to note that Military Vicar, His Eminence, Cardinal Cooke, setting the record straight against any unjust aggressor. Cardinal Cooke's position for all Catholic military follows:

MILITARY VICARIATE,

New York, N.Y., December 7, 1981.

MEMORANDUM FROM ARCHBISHOP RYAN

Subject: Enclosed letter from His Eminence. You will find the enclosed letter exceedingly helpful in answering the inquiries of your people concerning the questions being raised about matters of war, weapons and military service.

The Cardinal's letter is very straightforward. In plain language it addresses the two major questions raised: (1) What does the Church have to say about military service;

(2) What does the Church have to say about nuclear weapons?

His Eminence makes it clear that the Church, he, himself, and all of us here continue to honor and express our gratitude for all who carry out their military duties responsibly. There can be no question about our nation's right and duty to defend our people. The letter provides guidance also in the matter of involvement with nuclear weapons. The Church sees a policy of deterrence as less than ideal, but recognizes that in the real world it is providing at least some measure of security while we try to achieve better approaches to peace with justice. In the meanwhile, the Church warns that all nations must seek multilateral, not unilateral disarmament, gradually and prudently, with careful safeguards and while maintaining adequate defense.

You will be pleased, too, by the Cardinal's announcement that he is establishing a House of Prayer and Study for Peace, as a contribution to both keeping the dialogue on these matters in balanced perspective and advancing the cause of true peace through a combination of continuing prayer, study and discussion.

With warmest regards and
Faithfully in Christ,

JOSEPH T. RYAN,
Coadjutor Archbishop.

MILITARY VICARIATE,

New York, N.Y., December 7, 1981.

DEAR FATHER: As we prepare to celebrate the birth of the Prince of Peace, you and the people you serve in the United States Military Vicariate are very much in my thoughts and my prayers.

I am writing to you for two purposes. The first is to respond to inquiries I have received from a number of you; the other is to tell you of a new and important project I am undertaking.

First, the inquiries. These have generally sought further guidance for our Catholic men and women in uniform concerning issues that have been raised here and abroad involving the broad areas of war and peace, with special emphasis on nuclear weapons. I want you to know that I share the widespread concern over these issues. There is a pressing need to pursue peace with justice and to work for the elimination of war. Clearly, the upward spiral in armaments and what it implies must be ended. All reasonable people know that the alternative could be the complete collapse of society, economic disaster, and even, conceivably, the destruction of civilization as we know it. It is encouraging that there are government officials, church leaders and men and women of every walk of life who share a growing sense of urgency and common concern over these matters.

Bishops have a special obligation to present the moral teaching of the Church and to help form the consciences of those people whom they serve. This is always a demanding challenge, and can be, at times, an agonizing task. As Military Vicar, of course, I have a special responsibility for the pastoral care of all Catholics in military service. As you know, Archbishop Joseph T. Ryan, our Coadjutor, and Bishop John J. O'Connor, our Vicar General, are directly associated with me in carrying out that responsibility. They join with me in this letter.

Obviously, at this time, this letter can address only very briefly, and in very simple terms, the main questions that are raised. A much fuller treatment is found in Bishop

O'Connor's book, *In Defense of Life*, which I recommend for the guidance of our people.

The key questions we are most frequently asked can be summarized in these two: (1) Has the Church changed its position on military service? (2) Must a Catholic refuse to have anything at all to do with nuclear weapons?

(1) The Church and Military Service. This can be answered very directly: The Popes, the Second Vatican Council and the Bishops of the United States speaking as a body, have all been very clear on this matter. The position is perhaps best summarized in the words of Vatican Council II: "All those who enter the military service in loyalty to their country should look upon themselves as the custodians of the security and freedom of their fellow countrymen: and when they carry out their duty properly, they are contributing to the maintenance of peace." (*The Church in the Modern World*.) I do not feel that anything need be added to this. The Church has not changed its position. I am personally proud of the dedication of our military men and women and consider them to be true guardians of peace. They and their families deserve the gratitude of our own nation and the world at large for the sacrifices they make to try to preserve peace with justice under very demanding circumstances.

(2) Catholics and Nuclear Weapons. To answer this question is more complicated. It requires understanding of several fundamental principles and continuing study.

The Church has traditionally taught and continues to teach that a government has both the right and the duty to protect its people against unjust aggression. This means that it is legitimate to develop and maintain weapons systems to try to prevent war by "detering" another nation from attacking. Very simply put, police carry guns for the same reason. Under no circumstances may a nation start a war, any more than police could decide to go out and shoot people to keep them from committing crimes! Popes have also pointed out that a nation may have the obligation to protect other nations, just as we have the obligation to go to the defense of a neighbor, even though a stranger, being attacked.

Although the Church urges nations to design better ways—ideally, non-violent ways—of maintaining peace, it recognizes that as long as we have good reason to believe that another nation would be tempted to attack us if we could not retaliate, we have the right to deter attack by making it clear that we could retaliate. In very simple terms, this is the "strategy of deterrence" we hear so much about. It is not a desirable strategy. It can be terribly dangerous. Government leaders and peoples of all nations have a grave moral obligation to come up with alternatives. But as long as our nation is sincerely trying to work with other nations to find a better way, the Church considers the strategy of nuclear deterrence morally tolerable; not satisfactory, but tolerable. As a matter of fact, millions of people may be alive in the world today precisely because government leaders in various nations know that if they attacked other nations, at least on a large scale, they, themselves, could suffer tremendous losses of human life or even be destroyed.

It follows clearly that if a strategy of nuclear deterrence can be morally tolerated while a nation is sincerely trying to come up with a rational alternative, those who produce or are assigned to handle the weapons that make the strategy possible and

workable can do so in good conscience. The Church does condemn the use of any weapons, nuclear or conventional, that would indiscriminately destroy huge numbers of innocent people, such as an entire city, or weapons that would "blow up the world". Every nation has a grave moral obligation to reduce and finally to get rid of such weapons altogether, but the Church points out that this must be done gradually, with all nations cooperating, and with prudence. The Church does not require, nor have the Popes of the nuclear age or the Second Vatican Council recommended, unilateral disarmament.

In its "Pastoral on the Church in the Modern World," the Second Vatican Council expressed the Church's position on these matters very clearly, and I believe it would be useful for you to have the following quotations from that Pastoral available.

"War has not ceased to be part of the human scene. As long as danger of war persists and there is no international authority with the necessary competence and power, governments cannot be denied the right of lawful self-defense, once all peace efforts have failed. State leaders and all who share the burdens of public administration have the duty to defend the interests of their people and to conduct such grave matters with a deep sense of responsibility. However, it is one thing to wage a war of self-defense; it is quite another to seek to impose domination on another nation. The possession of war potential does not justify the use of force for political or military objectives. Nor does the mere fact that war has unfortunately broken out mean that all is fair between the warring parties. . . .

"The development of armaments by modern science had immeasurably magnified the horrors and wickedness of war. Warfare conducted with these weapons can inflict immense and indiscriminate havoc which goes far beyond the bounds of legitimate defense. Indeed if the kind of weapons now stocked in the arsenals of the great powers were to be employed to the fullest, the result would only be the almost complete reciprocal slaughter of one side by the other, not to speak of the widespread devastation that would follow in the world and the deadly after effects resulting from the use of such arms. . . .

Since peace must be born of mutual trust between peoples instead of being forced on nations through dread of arms, all must work to put an end to the arms race and make a real beginning of disarmament, not unilaterally indeed but at an equal rate on all sides, on the basis of agreements and backed up by genuine and effective guarantees."

A nation must ask itself every day: "How much defense is enough? How much is too much?" It is a matter of balance. All life must be considered precious, because every human being is made in God's Image. A nation must use resources to protect the unborn, the weak, the old, the helpless, the sick, the imprisoned, the homeless, the poor—those who most need the nation's protection and support. The question of how much the United States spends on military defense involves a number of technical issues about which I have no special expertise. The people at large and their elected representatives have the right and duty to question all aspects of the national budget, including allocations for defense. This is one of the great values and obligations of living in a democracy. We must be gravely concerned at all times about the needs of the

poor and assure that appropriate provision is made for those needs.

At the same time, we must be very careful about assuming that reductions in defense spending would automatically or completely solve such problems as poverty, hunger and disease in our nation or the world. These issues are tremendously complex and require many other changes in society before they can be adequately resolved. We must do everything we can to effect such changes and to resolve such problems, but even while engaged in efforts to do so, a nation must simultaneously defend all its people, the poor as well as the rich, against unjust aggression. There would be little point in a nation's spending all its resources on feeding, clothing, housing and educating the poor, and on other needs, only to leave all its people defenseless if attacked. We must remember, also, that these concerns are not the responsibilities of senior government officials alone. Every individual in uniform and every civilian directly involved in national defense, and particularly in defense industry, must be conscious of the many needs of the nation, especially the needs of the poor, and use the nation's resources responsibly, with meticulous honesty and care.

I know that you and our people may be faced with difficult decisions in the future, and I will try to keep you apprised of the Church's position in each problem situation. I am well aware that a wide variety of opinions have been expressed by some people concerning the directions in which they think the Church should be moving. My responsibility as I see it, as your bishop, is to advise you of the official teaching of the Catholic Church.

Archbishop Ryan, Bishop O'Connor and I sincerely hope that these comments will provide at least modest assistance to all those in uniform trying to serve honorably in the cause of peace with justice for all. Should specific questions or problems arise which you feel require further comment, please do not hesitate to advise us.

Now to the second part of this letter and to the new and important venture on which we are embarking, and for which we need the support of your prayers and moral encouragement.

Almost 10 years ago I issued a "Pastoral Message for Peace" in which I urged that all of us together face the problem of war and begin to develop an instrumentality to prevent future wars. In that Pastoral I asserted what I believe just as strongly today, "that if we do not, with deliberate speed, develop the means of war-prevention and make impossible the waging of war by any nation on this earth, we run the risk of witnessing, in our own time, the very end of human history".

Therefore, as Military Vicar for Catholics and their families in the Armed Forces of the United States and Veterans Administration I am preparing to establish a House of Prayer and Study for Peace. It is absolutely imperative that we beg God's help in continuing prayer, if we are to solve problems beyond our mere human powers and mitigate or end the sufferings of war. At the same time, it is essential that we utilize our finest human resources of spirit and intellect, bringing together scientists, scholars and others to study and plan and pray to help the world achieve peace with justice.

It is anticipated that The House of Prayer and Study for Peace will open early in the New Year under the immediate supervision of the Vicar General of the Military Vicar-

late, Bishop John J. O'Connor who will also serve as Chairman of the Board. The Board of Advisors will include men and women representing a broad spectrum of occupations and disciplines. The daily activities of prayer and study will be supported and carried out by a small staff of religious and lay persons in residence in the House itself. Staff members will communicate with individuals and agencies in the United States and abroad, in an effort to pool resources and share findings, and will simultaneously try to encourage individuals and institutions everywhere to join in prayer that peace with justice will become a reality for all humanity in our lifetime. With our Holy Father, Pope John Paul II, we believe that peace is possible. This belief must guide and permeate all our efforts.

As Military Vicar, I must emphasize that the activities of The House of Prayer and Study for Peace will be carried out with respect for all who are dedicated to the same objective, whatever be the approach they follow in accord with their own convictions in conscience, including the maintenance of sufficient armed force to deter aggression and the exploration of strategies of non-violence.

Finally, the hallmark of the House of Prayer and Study for Peace will be the maxim of Pope Paul VI: *If You Wish Peace, Defend Life*. I am convinced that if we are to expect God's help in ending war and achieving peace with justice, we must root our efforts in a recognition of the worth and dignity of all human life, the unborn, the aged, the poverty stricken, the oppressed, the sick, the diseased, the imprisoned, the helpless of both sexes, of all ages, races, creeds and ethnic origins.

More detailed information on the House of Prayer and Study will be forthcoming in the near future. I am pleased to be able to announce this initiative during the holy season of Advent, the period of prayerful preparation for the great feast of the Birth of the Prince of Peace. During Advent I myself will be praying each day that this venture will advance the cause of peace with justice for the world at large, and to this end will be asking the very special help of the Mother of Jesus, Mary the Queen of Peace.

On Christmas Day, after Midnight Mass in Saint Patrick's Cathedral, I shall fly directly to Korea, to spend the Christmas season with our military families there, in Japan and Okinawa, stopping in Pearl Harbor on the return trip to participate in a regional conference with our priests in that area. I embark on this trip with the same joy of anticipation I have experienced during the past thirteen Christmas seasons of visiting with the wonderful people who do so much for our own country and for the world at large, and do it so quietly and gracefully, in the true sense of the term. They and their brothers and sisters all over the world will share in my Christmas Masses together with you, and I ask the kindness of a remembrance in yours for all of us here.

Faithfully yours in Christ,
TERENCE CARDINAL COOKE,
Military Vicar. ●

TRIBUTE TO ELLIS M. IVEY, JR.
HON. BOB TRAXLER
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1982

● Mr. TRAXLER. Mr Speaker, I rise today to pay special tribute to a re-

markable man who resides in my district, Mr. Ellis M. Ivey, Jr. Mr. Ivey is a native of Atlanta, Ga., but since his move to Saginaw, Mich., in 1941, he has risen to a stature within our community of which few people can boast.

Today, as Ellis Ivey prepares to retire as general manager of the Saginaw Steering Gear Division of General Motors Corp., he is respected as a captain of industry and a champion of the free enterprise system.

In January of 1942 Ellis Ivey began his career as a foreman at Saginaw Steering Gear. Shortly thereafter he joined the U.S. Army and served for nearly 3 years in the South Pacific theater.

Upon his return from military duty in 1945, Ivey was named time study engineer and soon promoted to tool supervisor. Recognizing his managerial genius, General Motors promoted him to supervisor of work standards in June 1956. In 1957 he was promoted again to plant manager, then to divisional works manager in 1964, and finally to general manager in March 1970.

In the years that I have known Ellis, he has always been a can do man. He has asserted his effective and aggressive leadership not only in America's industrial realm, but in civic matters as well.

Ellis Ivey's accomplishments are impressive and many. Let me list a few of them. He is a member of the Society of Automotive Engineers, the Greater Saginaw Chamber of Commerce, the YMCA Industrial Management Club, the Torch Club, and the Saginaw Club. He has also devoted hours of his time to the betterment of our community by serving as a member of the board of regents of the General Motors Institute. He served two terms as chairman of the board of trustees of Saginaw General Hospital, and two terms as president of the United Way of Saginaw County.

Ellis also served as the first president of the Lake Huron Area Council, Boy Scouts of America, for 4 years, and is presently vice president. He is the Saginaw County chairman for the Savings Bond Division of the U.S. Treasury, a member of the advisory committee of the Michigan National Molecular Institute, a member of the business advisory council of Central Michigan University, a member of the advisory board of the School of Mechanical Engineering at Clemson University, S.C., and a member of the board of fellows of the Saginaw Valley State College, where he was awarded an honorary doctor of laws degree. He is also the corporation's key executive for Virginia Polytechnic Institute.

Mr. Speaker, having heard this list of outstanding contributions and accomplishments, I am sure that you and the Members of this distinguished body will agree that it will be a sad occasion when Ellis Ivey retires as gener-

al manager of Saginaw Steering Gear. I know that all those who he worked with, and all those who worked for him, will miss his leadership.

Yet, the vast energies he has devoted to our community organizations and charitable activities have made Ellis Ivey a pillar of strength within these organizations and have won him friends throughout the community. His retirement from Saginaw Steering Gear will only open the door to many new and ongoing successful endeavors.

Ellis Ivey is a truly outstanding man and a special friend. As his Congressman, I am proud to have this opportunity to pay him this special tribute. On behalf of the Saginaw Community, I wish to extend our heartiest thanks and every best wish to Ellis Ivey and his family on his retirement. ●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, February 4, 1982, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 5

9:00 a.m.

Agriculture, Nutrition, and Forestry
Foreign Agricultural Policy Subcommittee
To resume hearings to evaluate the economic impact of previous agricultural embargoes.

324 Russell Building
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold joint hearings with the Subcommittee on Taxation and Debt Management of the Committee on Finance on S. 1828, providing for special tax treatment of partnerships between thrift institutions and others.

2221 Dirksen Building
Finance
Taxation and Debt Management Subcommittee
To hold joint hearings with the Subcommittee on Housing and Urban Affairs

of the Committee on Banking, Housing, and Urban Affairs on S. 1828, providing for special tax treatment of partnerships between thrift institutions and others.

2221 Dirksen Building

10:00 a.m.

Budget

To hold oversight hearings on activities of the Congressional Budget Office.

6202 Dirksen Building

Foreign Relations

To hold hearings on the Venezuela proposed arms sale.

4221 Dirksen Building

Rules and Administration

To begin oversight hearings on activities of congressional support agencies, focusing on the Office of Technology Assessment.

301 Russell Building

Joint Economic

To hold hearings on the employment/unemployment situation for January.

2128 Rayburn Building

10:30 a.m.

*Environment and Public Works

Environmental Pollution Subcommittee

To hold hearings to receive testimony from John W. Hernandez, Jr., Deputy Administrator of the Environmental Protection Agency on the implementation of the Clean Water Act.

4200 Dirksen Building

FEBRUARY 8

10:00 a.m.

Armed Services

To resume hearings to review the proposed budget request of the Department of Defense.

1202 Dirksen Building

Energy and Natural Resources

Energy and Mineral Resources Subcommittee

To hold oversight hearings to review the capacity, distribution and status of the strategic petroleum reserve.

3110 Dirksen Building

Environment and Public Works

Environmental Pollution Subcommittee

To hold hearings on S. 327 and H.R. 1486, bills establishing the protection island national wildlife refuge in Jefferson County, Wash., and H.R. 1952, authorizing funds for fiscal years 1982, 1983, and 1984 for certain conservation programs on military reservations and public lands.

4200 Dirksen Building

Foreign Relations

To hold hearings on the President's January 28, 1982, certification concerning military aid to El Salvador.

4221 Dirksen Building

Judiciary

To resume hearings on S. 1030, revising certain provisions of the Gun Control Act (Public Law 90-618) relating to the licensing of manufacturers, dealers, and importers of firearms and ammunition, and providing for mandatory minimum sentences for Federal felonies committed with firearm or destructive devices.

2228 Dirksen Building

FEBRUARY 9

9:30 a.m.

Banking, Housing, and Urban Affairs Securities Subcommittee

To resume hearings on proposed legislation authorizing bank holding companies to establish securities affiliates which could underwrite municipal revenue bonds and operate, advise, and sell shares in mutual funds.

5302 Dirksen Building

*Labor and Human Resources

To resume markup of S. 1182, proposed Longshoremens and Harbor Workers Compensation Act Amendments of 1981.

4232 Dirksen Building

Rules and Administration

To hold hearings on committee resolutions requesting funds for operating expenses for 1982.

301 Russell Building

10:00 a.m.

Commerce, Science, and Transportation Merchant Marine Subcommittee

To hold hearings on H.R. 3782, permitting the steamship vessel, *Oceanic Constitution*, to enter the Hawaiian Island cruise trade.

235 Russell Building

Energy and Natural Resources

To hold hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, focusing on the Department of the Interior.

3110 Dirksen Building

Environment and Public Works

Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).

4200 Dirksen Building

11:00 a.m.

Foreign Relations

Business meeting, to consider pending nominations and other committee business.

4221 Dirksen Building

Judiciary

Business meeting, to consider pending calendar business.

2228 Dirksen Building

11:30 a.m.

Labor and Human Resources

Labor Subcommittee

Business meeting, to mark up S. 1785, increasing the penalties for violations of the Taft-Hartley Act, requiring immediate removal of certain individuals convicted of crimes relating to their official position, broadening the definition of the types of positions an individual is barred from upon conviction, increasing the time of disbarment from 5 to 10 years, escrowing a convicted official's salary for the duration of his appeal, and clarifying the jurisdiction of the Department of Labor relating to detecting and investigating criminal violations relating to ERISA.

4232 Dirksen Building

2:00 p.m.

Judiciary

Immigration and Refugee Policy Subcommittee

To hold hearings on proposed refugee assistance regulation changes.

2228 Dirksen Building

FEBRUARY 10

9:30 a.m.

Banking, Housing, and Urban Affairs Securities Subcommittee

To continue hearings on proposed legislation authorizing bank holding companies to establish securities affiliates which could underwrite municipal revenue bonds and operate, advise, and sell shares in mutual funds.

5302 Dirksen Building

Judiciary

To resume hearings on S. 995, providing for contribution of damages in anti-trust price-fixing suits.

2228 Dirksen Building

Rules and Administration

To continue hearings on committee resolutions requesting funds for operating expenses for 1982.

301 Russell Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed supplemental appropriations for fiscal year 1982 for construction grants of the Environmental Protection Agency.

1224 Dirksen Building

Armed Services

To hold hearings on proposed legislation authorizing funds for fiscal year 1983 for the Department of Defense, focusing on Army programs.

212 Russell Building

Energy and Natural Resources

To hold hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, focusing on the Department of Agriculture and the U.S. Synthetic Fuels Corporation.

3110 Dirksen Building

Environment and Public Works

Water Resources Subcommittee

To hold hearings to evaluate the waterway user charge study, authorized by section 205 of the Inland Waterways Revenue Act of 1978 (Public Law 95-502).

4200 Dirksen Building

Foreign Relations

Arms Control, Oceans and International Operations, and Environment Subcommittee

To hold hearings on acid rain.

4221 Dirksen Building

2:00 p.m.

Environment and Public Works

Transportation Subcommittee

To hold oversight hearings on the implementation of the highway bridge replacement and rehabilitation program.

4200 Dirksen Building

Judiciary

Criminal Law Subcommittee

To hold hearings on S. 974, proposed Handgun Crime Control Act of 1981, and other related measures.

2228 Dirksen Building

FEBRUARY 11

9:30 a.m.

Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

235 Russell Building

Finance

International Trade Subcommittee

To hold hearings on S. 1511, clarifying the determination of the definition of a country under the General Agreement on Tariffs and Trade, and to review the effectiveness of section 301 of the Trade Act of 1974 in enforcing the trade agreement rights of the United States and responding to foreign practices that are inconsistent with trade agreement provisions or burden or restrict U.S. commerce.

2221 Dirksen Building

Judiciary

Constitution Subcommittee

To resume hearings on S. 53, S. 1761, S. 1975 and S. 1992, bills extending the effects of certain provisions of the Voting Rights Act of 1965.

2228 Dirksen Building

Rules and Administration

To continue hearings on committee resolutions requesting funds for operating expenses for 1982.

301 Russell Building

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Railroad Retirement Board, domestic programs of the ACTION Agency, and the Soldiers' and Airmen's Home.

1114 Dirksen Building

Armed Services

To continue hearings on proposed legislation authorizing funds for fiscal year 1983 for the Department of Defense, focusing on Air Force programs.

212 Russell Building

Banking, Housing, and Urban Affairs

To hold hearings on the conduct of monetary policy.

5302 Dirksen Building

Energy and Natural Resources

Public Lands and Reserved Water Subcommittee

To hold hearings on miscellaneous legislation relating to land conveyances, exchanges and private relief (S. 835, S. 1501, S. 1519, H.R. 1528, H.R. 1543, S. 1242 (H.R. 2820), S. 982, S. 1546, S. 1767, S. 706, H.R. 2863, and H.R. 2475).

3110 Dirksen Building

Environment and Public Works

Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).

1202 Dirksen Building

Judiciary

Juvenile Justice Subcommittee

To hold oversight hearings to examine proposed budget reductions in Federal assistance to State and local law enforcement agencies.

5110 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Corporation for Public Broadcasting, National Commission on Libraries and Information Science, and the President's Commission on Ethical Problems in Medicine.

1114 Dirksen Building

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on proposed authorizations for fiscal years 1983 and 1984 for the National Bureau of Standards, Department of Commerce.

235 Russell Building

Judiciary

Security and Terrorism Subcommittee

To hold closed oversight hearings on activities of the Federal Bureau of Investigation, Department of Justice.

2300 Dirksen Building

Veterans' Affairs

To hold hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Veterans' Administration

412 Russell Building

FEBRUARY 12

9:00 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on S. 698, assisting the Yuma County Water Users' Association, Arizona, to relocate the headquarters of such association; S. 933, authorizing the rehabilitation of the Belle Fourche irrigation project in South Dakota; S. 1409, authorizing the enlargement of the Buffalo Bill Dam and Reservoir in Wyoming; and S. 1628, providing that the Emergency Fund Act of 1948 be available for all projects governed by Federal reclamation acts.

3110 Dirksen Building

9:30 a.m.

Banking, Housing, and Urban Affairs

Securities Subcommittee

To resume hearings on proposed legislation authorizing bank holding companies to establish securities affiliates which could underwrite municipal and revenue bonds, and operate, advise, and sell shares in mutual funds.

5302 Dirksen Building

Judiciary

Constitution Subcommittee

To continue hearings on S. 53, S. 1761, S. 1975, and S. 1992, bills extending the effects of certain provisions of the Voting Rights Act of 1965.

2228 Dirksen Building

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Federal Mediation and Conciliation Service, National Labor Relations Board, National Mediation Board, OSHA Review Commission, and the Mine Safety and Health Review Commission.

1114 Dirksen Building

Environment and Public Works

To hold hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Nuclear Regulatory Commission.

4200 Dirksen Building

2:00 p.m.

Judiciary

To hold hearings on pending nominations.

2228 Dirksen Building

FEBRUARY 22

9:00 a.m.

Commerce, Science, and Transportation

To hold hearings on proposed authorizations for the National Telecommunications and Information Administration, Department of Commerce.

235 Russell Building

9:30 a.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To hold joint hearings with House Subcommittee on Employment Opportunities of the Committee on Education and Labor on proposed legislation establishing employment training policies.

2175 Rayburn Building

10:00 a.m.

Environment and Public Works

To hold hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee.

4200 Dirksen Building

1:30 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the National Institutes of Health, Department of Health and Human Services.

1114 Dirksen Building

FEBRUARY 23

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for the National Institutes of Health, Department of Health and Human Services.

1318 Dirksen Building

Energy and Natural Resources

To hold hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, focusing on the Department of Energy.

3110 Dirksen Building

*Labor and Human Resources

To hold oversight hearings on the southern Nevada culinary workers' pension fund.

4232 Dirksen Building

*Labor and Human Resources

Employment and Productivity Subcommittee

To continue joint hearings with House Subcommittee on Employment Opportunities of the Committee on Education and Labor on proposed legislation establishing employment training policies.

5302 Dirksen Building

Small Business

To hold hearings on encouraging small business investment in free enterprise in nationally distressed areas.
424 Russell Building

10:00 a.m.

Environment and Public Works

Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
4200 Dirksen Building

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to investigate certain fraudulent commodity investments.
3302 Dirksen Building

11:00 a.m.

Veterans' Affairs

To hold hearings to receive the Disabled American Veterans' legislative recommendations for fiscal year 1983.
6226 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for the National Institutes of Health, and to review activities of the Office of the Director, Department of Health and Human Services.
1318 Dirksen Building

FEBRUARY 24

9:30 a.m.

Appropriations

To hold hearings to review current economic conditions.
1114 Dirksen Building

Banking, Housing, and Urban Affairs

Consumer Affairs Subcommittee

To hold hearings to examine certain financial institution practices restricting individuals from withdrawing funds represented by checks deposited to their accounts.
5302 Dirksen Building

Commerce, Science, and Transportation Business, Trade, and Tourism Subcommittee

To hold hearings on the economic impact of tourism.
235 Russell Building

Judiciary

Constitution Subcommittee

To resume hearings on S. 53, S. 1761, S. 1975, and S. 1992, bills extending the effects of certain provisions of the Voting Rights Act of 1965.
2228 Dirksen Building

*Labor and Human Resources

To continue oversight hearings on the southern Nevada culinary workers' pension fund.
4232 Dirksen Building

10:00 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.
3110 Dirksen Building

Environment and Public Works

To resume hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee.
4200 Dirksen Building

Governmental Affairs

Permanent Subcommittee on Investigations

To continue hearings to investigate certain fraudulent commodity investments.
3302 Dirksen Building

10:30 a.m.

*Labor and Human Resources

Alcoholism and Drug Abuse Subcommittee

To hold oversight hearings on activities of the National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse, Department of Health and Human Services.
6226 Dirksen Building

2:00 p.m.

Energy and Natural Resources

Energy Regulation Subcommittee

Joint oversight hearings with the Subcommittee on Water and Power on hydroelectric development and licensing procedures.
3110 Dirksen Building

Energy and Natural Resources

Water and Power Subcommittee

Joint oversight hearings with the Subcommittee on Energy Regulation on hydroelectric development and licensing procedures.
3110 Dirksen Building

FEBRUARY 25

9:30 a.m.

Appropriations

To continue hearings to review current economic conditions.
1114 Dirksen Building

Banking, Housing, and Urban Affairs

To resume hearings on the conduct of monetary policy.
5302 Dirksen Building

Commerce, Science, and Transportation

Business, Trade, and Tourism Subcommittee

To continue hearings on the economic impact of tourism.
235 Russell Building

Judiciary

Constitution Subcommittee

To resume hearings on S. 53, S. 1761, S. 1975, and S. 1992, bills extending the effects of certain provisions of the Voting Rights Act of 1965.
2228 Dirksen Building

*Labor and Human Resources

Employment and Productivity Subcommittee

To resume joint hearings with House Subcommittee on Employment Opportunities of the Committee on Education and Labor on proposed legislation establishing employment training policies.
4232 Dirksen Building

10:00 a.m.

Environment and Public Works

Business meeting, to resume markup of proposed amendments to the Clean Air Act (Public Law 95-95).
318 Russell Building

Governmental Affairs

Permanent Subcommittee on Investigations

To continue hearings to investigate certain fraudulent commodity investments.
3302 Dirksen Building

FEBRUARY 26

9:30 a.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To continue joint hearings with House Subcommittee on Employment Opportunities of the Committee on Education and Labor on proposed legislation establishing employment training policies.
2175 Rayburn Building

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for activities of the Assistant Secretary for Health, scientific activities overseas, and retirement pay for commissioned officers, Department of Health and Human Services.
1114 Dirksen Building

Energy and Natural Resources

Energy and Mineral Resources Subcommittee

To resume oversight hearings to review the capacity, distribution, and status of the strategic petroleum reserve.
3110 Dirksen Building

Environment and Public Works

To resume hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee.
4200 Dirksen Building

11:00 a.m.

Rules and Administration

Business meeting, to consider committee resolutions requesting funds for operating expenses for 1982, and to promulgate regulations to implement the postal patron provisions of Public Law 97-69, strengthening and clarifying the congressional franking law.
301 Russell Building

MARCH 1

10:00 a.m.

Environment and Public Works

To resume hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee.
4200 Dirksen Building

MARCH 2

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for Centers for Disease Control, Department of Health and Human Services.
1114 Dirksen Building

10:00 a.m.

*Labor and Human Resources

Aging, Family and Human Services Subcommittee

To hold hearings to examine the impact of stress on the family caused by the workplace.
4232 Dirksen Building

10:30 a.m.

Veterans' Affairs

To hold hearings to receive the Blinded Veterans Association, Paralyzed Veterans of America, and World War I veterans' legislative recommendations for fiscal year 1983.

318 Russell Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Health Services Administration, Department of Health and Human Services.

1114 Dirksen Building

Environment and Public Works

To continue hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget committee.

4200 Dirksen Building

MARCH 30

9:30 a.m.

Banking, Housing, and Urban Affairs

Consumer Affairs Subcommittee

To hold hearings on the role of the Federal Government in the operation of American payment systems.

5302 Dirksen Building

Labor and Human Resources

Business meeting, to consider those matters and programs in the President's budget for fiscal year 1983 which fall within the committee's jurisdiction with a view toward submitting its views and budgetary recommendations to the Committee on the Budget by March 15.

4232 Dirksen Building

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Alcohol, Drug Abuse and Mental Health Administration, Department of Health and Human Services.

1114 Dirksen Building

Environment and Public Works

Business meeting, to consider pending calendar business.

4200 Dirksen Building

Veterans' Affairs

Business meeting, to consider those matters and programs in the President's budget for fiscal year 1983 which fall within the committee's jurisdiction with a view toward submitting its views and budgetary recommendations to the Committee on the Budget by March 15.

412 Russell Building

2:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Health Resources Administration, Department of Health and Human Services.

1114 Dirksen Building

MARCH 4

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the American Battle Monuments Commission, Army Cemeterial Expenses, the Office of Consumer Affairs, and Consumer Information Center.

1224 Dirksen Building

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Health Care Financing Administration, Department of Health and Human Services.

1114 Dirksen Building

Environment and Public Works

To resume hearings to review those items in the President's budget for fiscal year 1983 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee.

4200 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Social Security Administration and refugee programs, Department of Health and Human Services.

1114 Dirksen Building

MARCH 5

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for human development services of the Department of Health and Human Services.

1114 Dirksen Building

MARCH 8

9:30 a.m.

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To hold hearings on H.R. 3663, revising the regulation of motor carriers of passengers.

235 Russell Building

MARCH 9

10:00 a.m.

Environment and Public Works

Business meeting, to consider those matters and programs in the President's budget for fiscal year 1983 which fall within the committee's jurisdiction with a view toward submitting its views and budgetary recommendations to the Committee on the Budget by March 15.

4200 Dirksen Building

MARCH 10

9:30 a.m.

Labor and Human Resources

Business meeting, to resume consideration of those matters and programs in the President's budget for fiscal year 1983 which fall within the committee's jurisdiction with a view

toward submitting its views and budgetary recommendations to the Committee on the Budget by March 15.

4232 Dirksen Building

10:00 a.m.

Environment and Public Works

Business meeting, to continue consideration of those matters and programs in the President's budget for fiscal year 1983 which fall within the committee's jurisdiction with a view toward submitting its views and budgetary recommendations to the Committee on the Budget by March 15.

4200 Dirksen Building

MARCH 11

9:30 a.m.

Labor and Human Resources

Labor Subcommittee

To hold hearings on S. 1748, exempting certain employers from withdrawal and plan termination insurance provisions of title IV of the Employee Retirement Income Security Act (ERISA).

4232 Dirksen Building

10:30 a.m.

Environment and Public Works

Business meeting, to consider pending calendar business.

4200 Dirksen Building

MARCH 12

9:30 a.m.

Labor and Human Resources

Aging, Family and Human Services Subcommittee

To hold hearings on expanding employment opportunities for older workers.

4232 Dirksen Building

MARCH 15

9:00 a.m.

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To hold hearings on proposed authorizations for the railroad financial assistance program, Department of Transportation.

235 Russell Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for elementary and secondary education and education block grant programs, Department of Education.

1114 Dirksen Building

MARCH 16

9:30 a.m.

Labor and Human Resources

Aging, Family and Human Services Subcommittee

To hold hearings on the extended family.

4232 Dirksen Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Consumer Product Safety Commission and the Office of Revenue Sharing (New York City loan program).

1318 Dirksen Building

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for impact aid, vocational and adult education, libraries, and learning resources programs, Department of Education.

1114 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for education for the handicapped, rehabilitation services, and handicapped research programs, Department of Education.

1114 Dirksen Building

MARCH 17

9:30 a.m.

Labor and Human Resources

Labor Subcommittee

To resume hearings on S. 1748, exempting certain employers from withdrawal and plan termination insurance provisions of title IV of the Employee Retirement Income Security Act (ERISA).

4232 Dirksen Building

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for student financial assistance, student loan insurance, higher and continuing education, higher education facilities loan and insurance, college housing loans, educational research, and training activities overseas, Department of Education.

1114 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the National Institute of Education, Fund for the Improvement of Post-secondary Education (FIPSE), and education statistics, Department of Education.

1114 Dirksen Building

MARCH 18

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for special institutions, Howard University, departmental management (salaries and expenses), and the Office for Civil Rights, Department of Education.

1114 Dirksen Building

MARCH 19

9:30 a.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To hold hearings on productivity in the American economy.

4232 Dirksen Building

MARCH 23

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Veterans' Administration.

1224 Dirksen Building

MARCH 26

9:00 a.m.

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To hold hearings on proposed authorizations for the railroad safety program, Department of Transportation.

235 Russell Building

9:00 a.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To resume hearings on productivity in the American economy.

4232 Dirksen Building

MARCH 30

9:30 a.m.

Labor and Human Resources

Aging, Family and Human Services Subcommittee

To hold oversight hearings on the implementation of sex education programs.

4232 Dirksen Building

10:00 a.m.

Veterans' Affairs

To hold hearings to receive Veterans of Foreign Wars legislative recommendations for fiscal year 1983.

318 Russell Building

APRIL 1

9:30 a.m.

Labor and Human Resources

Aging, Family and Human Services Subcommittee

To hold hearings on promoting voluntarism in America.

4232 Dirksen Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Federal Emergency Management Agency and the Selective Service System.

1224 Dirksen Building

APRIL 2

9:30 a.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To resume hearings on productivity in the American economy.

4232 Dirksen Building

APRIL 14

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for activi-

ties of the Secretary of Health and Human Services.

1114 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Health and Human Services.

1114 Dirksen Building

APRIL 15

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Office of Science and Technology Policy and the Council on Environmental Quality.

1224 Dirksen Building

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Education.

1114 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Education.

1114 Dirksen Building

APRIL 16

9:30 a.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To resume hearings on productivity in the American economy.

4232 Dirksen Building

APRIL 20

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Environmental Protection Agency.

1224 Dirksen Building

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Labor.

1114 Dirksen Building

APRIL 21

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

EXTENSIONS OF REMARKS

February 3, 1982

To hold hearings on proposed budget estimates for fiscal year 1983 for the Employment and Training Administration, Department of Labor.
1114 Dirksen Building

APRIL 22

9:30 a.m.
Labor and Human Resources
Aging, Family and Human Services Subcommittee
To hold oversight hearings on the implementation of title X of the Public Health Service Act relating to the health aspects of teenage sexual activity.
4232 Dirksen Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1983 for the Labor-Management Services Administration, Pension Benefit Guaranty Corporation, and the Employment Standards Administration, Department of Labor.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1983 for the Occupational Safety and Health Administration (OSHA), and the Mine Safety and Health Administration, Department of Labor.
1114 Dirksen Building

APRIL 23

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1983 for Bureau of Labor Statistics, departmental management services, and the President's Committee on Employment of the Handicapped, Department of Labor.
1114 Dirksen Building

APRIL 27

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1983 for the National Science Foundation.
1224 Dirksen Building

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee

To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.
1114 Dirksen Building

APRIL 28

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.
1114 Dirksen Building

APRIL 29

9:30 a.m.
Labor and Human Resources
Aging, Family and Human Services Subcommittee
To hold hearings on community social support systems.
4232 Dirksen Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.
1114 Dirksen Building

10:30 a.m.
Veterans' Affairs
To hold hearings to receive AMVETS legislative recommendations for fiscal year 1983.
Room to be announced

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.
1114 Dirksen Building

MAY 3

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

MAY 4

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the National Aeronautics and Space Administration.

1224 Dirksen Building

Appropriations
Labor, Health and Human Services, Education Subcommittee

To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee

To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

MAY 5

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

MAY 6

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.
1114 Dirksen Building

MAY 7

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings to receive testimony from congressional witnesses on proposed budget estimates for fiscal year

1983 for certain programs under the subcommittee's jurisdiction.

1114 Dirksen Building

MAY 11

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the National Institute of Building Sciences, Federal Home Loan Bank Board, and National Credit Union Administration.

1224 Dirksen Building

MAY 18

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Department of Housing and Urban Development.

1224 Dirksen Building

MAY 19

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for the Department of Housing and Urban Development, and the Neighborhood Reinvestment Corporation.

1224 Dirksen Building

MAY 24

10:00 a.m.

*Appropriations

HUD-Independent Agencies Subcommittee

To receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1224 Dirksen Building

MAY 25

10:00 a.m.

*Appropriations

HUD-Independent Agencies Subcommittee

To receive testimony from public witnesses on proposed budget estimates

for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1224 Dirksen Building

SEPTEMBER 21

10:30 a.m.

Veterans' Affairs

To hold hearings to receive American Legion legislative recommendations for fiscal year 1983.

318 Russell Building

CANCELLATIONS

FEBRUARY 5

9:30 a.m.

Labor and Human Resources

Business meeting, to resume markup of S. 1182, proposed Longshoremens and Harbor Workers Compensation Act Amendments of 1981, and S. 1785, proposed Labor Management Racketeering Act of 1981.

4232 Dirksen Building